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Chapter 6 of the Revised Laws of 1913

BEING THE

GENERAL

ELECTION LAWS

OF

MINNESOTA

ALSO

The Congressional and Legislative
Reapportionments of 1913

SECTION NUMBERS CORRESPOND WITH
THOSE OF REVISED LAWS OF 1913

OFFICIAL PUBLICATION BY

JULIUS A. SCHMAHL

SECRETARY OF STATE

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Qualifications of Electors

Amendment to Section 1, Article 7, State Constitution.

Section one (1) **What persons are entitled to vote.**—Every male person of the age of twenty-one (21) years or upwards, belonging to either of the following classes, who has resided in this state six (6) months next preceding any election, shall be entitled to vote at such election in the election district of which he shall at the time have been for thirty (30) days a resident, for all officers that now are, or hereafter may be, elective by the people.

First—Citizens of the United States who have been such for the period of three (3) months next preceding any election.

Second—Persons of mixed white and Indian blood, who have adopted the customs and habits of civilization.

Third—Persons of Indian blood residing in this state, who have adopted the language, customs and habits of civilization, after an examination before any district court of the state, in such manner as may be provided by law, and shall have been pronounced by said court capable of enjoying the rights of citizenship within the state.

OPINIONS OF ATTORNEY GENERAL

Under the recently adopted amendment to our Constitution only those are entitled to vote who have been citizens of the United States for three months or more preceding the day of election.

WHO ARE CITIZENS OF THE UNITED STATES WITHOUT ANY ACTION ON THEIR PART.

1. Persons born in the United States and not subject to the jurisdiction of some foreign power; that is, persons born in the United States, no matter what the nationality of their parents unless such parents were here in some capacity as representatives of a foreign nation.
2. Children born in foreign countries but whose fathers became full citizens of the United States before such children reached the age of twenty-one years.
3. A foreign born woman who marries a citizen, or whose husband becomes fully naturalized, is thereby made a full citizen.

HOW TO BECOME CITIZENS

Except in certain instances hereafter mentioned the applicant must first secure what are known as "first papers" or "declaratory papers," and at least two years must elapse thereafter before final or papers of citizenship can issue. The applicant must have resided in the United States at least five years before final papers can issue.

tion respectively, "district" an election district, and "voter" an elector qualified to vote at the election or upon the question referred to. "Senator" and "representative" shall mean senators and representatives in the legislature, and "polls" shall include the place of voting. "Contestant" shall mean the person who begins any proceeding to contest the result of an election, and "contestee" the party adverse thereto.

Sec. 300. Term of office, when it begins—The term of office of every state and county officer shall begin on the first Monday in January next succeeding his election, unless otherwise provided by law.

Sec. 301. Election districts—How constituted and altered—Each town, each village that is separated from the town for election purposes, and each city ward, shall constitute at least one election district. No district, when first formed, shall contain more than four hundred male voters, and the council or town board shall so divide, consolidate, and rearrange the districts from time to time that the number of voters in each shall be substantially equal, and not exceed four hundred.

All such changes shall be made by resolution adopted at least six weeks before the next ensuing election, and sixty days' posted notice thereof shall be given before the change shall take effect.

Provided, that in cities or villages in this state having less than two thousand population, divided into separate wards or when such city or village is so platted so as to be situate in two adjoining counties, the city or village council of such city or village may by resolution adopted at least thirty days prior to any general or special election designate a single voting place in said city or village in which election for the entire city or village shall be held and one set of election officials presiding thereat shall be sufficient, providing, however, that a separate ballot box for each election district shall be provided, in which the votes of such election district shall be deposited and separate record kept therefor. When such single voting place has been so designated, it shall so continue until changed by resolution of said council adopted at least thirty days prior to a subsequent election.—Amdt. Chap. 365, Laws 1913; Chap. 175, Laws 1909.

Sec. 302. Map or description to be made and posted—When a ward is so divided, the council shall make a map or description of each division, defining it by known boundaries, and file the same with the city or village clerk, who shall keep the same open for inspection at all times and post copies of the same in at least five of the most public places in each district. Such council shall furnish copies thereof to the judges for use at the election.

Sec. 303. Notices to be furnished auditors and clerks—Between

July 1 and September 1 in each election year the secretary of state shall cause to be delivered to the auditor of each county a notice, specifying all the officers to be voted for throughout such county at the next general election, and each auditor, on receipt thereof, shall cause a like notice to be delivered to each town, city and village clerk in his county.

Sec. 304. Blanks and copies of law, how provided and distributed—At least sixty days before every general election, the secretary of state shall transmit to each county auditor a sufficient number of suitable blank forms for lists, registers, and affidavits, and such other blanks as are required in preparation for and conduct of such election; also copies of this chapter, or of so much thereof as pertains to the duties of election officers. The auditor shall forthwith deliver to the clerk of every city, town and village in his county the necessary copies of each of such blanks, and one copy of the law for each judge.

Sec. 305. Special elections, when and how called and conducted—Whenever, by reason of a tie vote, there shall be a failure to elect any state or county officer, member of the legislature, or representative in Congress, and whenever any vacancy occurs in any of such offices which is not otherwise provided for, the governor, within ten days after he is informed of such failure or vacancy, shall issue a proclamation directing a special election to be held, at a time therein specified not more than twenty days from the date thereof, to fill such office. One copy of such proclamation shall be mailed to the auditor of each county wherein such special election is to be held. But if the vacancy occurs in the office of representative in Congress or member of the legislature, and there be no session of the Congress or legislature between the happening thereof and the next general election occurring twenty-eight or more days thereafter, the vacancy shall be filled at such general election. Such special election shall be called, held and conducted, and the returns thereof made and canvassed, in the same manner as in the case of general elections; and within fifteen days thereafter the auditor shall transmit a statement of the vote cast thereat to the secretary of state.

Sec. 306. Special elections in cities having more than 10,000 and less than 20,000 inhabitants—That whenever a special election shall be required in any city of this state having a population of more than ten thousand inhabitants and less than twenty thousand inhabitants, to fill any vacancy in the offices of such city and the charter of such city shall not provide by whom or by what body such special election may or shall be ordered, then in every case, such election may be ordered by the City council of such city.

Sec. 307. Same—Candidates, How Nominated—That whenever a

special election shall be ordered in any city of this state, having a population of more than ten thousand inhabitants and less than twenty thousand inhabitants, to fill any vacancy in the offices of such city, and the charter of such city shall require such special election to be ordered and held within ten days after such vacancy shall occur, candidates for election at such special election shall not be required to be nominated at a primary election. Candidates for election at such special election may be nominated by delegate conventions called and held in accordance with the laws of this state, relative to the nomination by conventions held to nominate candidates for election at a special election. Candidates for election at such special election may also be nominated by certificates in the manner provided by law relating to nominations by petition or certificates of voters. Provided, however, that all certificates of nomination of candidates for election at such special elections shall be filed with, and the nomination fee fixed by law paid to the city clerk of such city on or prior to the third day before the day appointed for holding such special election.

Sec. 308. Same—Fees—Ballots—All nomination fees received by any city clerk under the provisions of this act shall be forthwith paid by him to the city treasurer of such city. Said city clerk shall cause the necessary ballots for use at such special election to be prepared, printed and bound in the form and manner provided by law relating thereto, and shall furnish the same to the judges of election for use at such special election, but such city clerk shall not be required to prepare or post any sample ballot in relation to such special election.

Sec. 309. Same—Judges—Boards of Election—Registers—It shall not be necessary to appoint judges or to make new registers of voters for such special election, but the judges of election at the last general election in any precinct or district shall continue to be judges of election for such special election and vacancies of judges may be filled the same as in case of general elections. Such judges shall constitute the boards of election for their respective election districts for such special elections. They shall meet on the third day, exclusive of any intervening Sunday, before the day appointed for such special election at six o'clock a. m. at the place where the last election was held, or at such other place as may be lawfully designated as the polling place for such district, and there remain in session until nine o'clock p. m. They shall at such session erase from the registers of voters used at the last election held in such district the names of all voters known to have since died, removed from the district or become disqualified and shall note on such registers opposite

each name so erased the reason for such erasure. They shall enter at the proper places in such registers and in the form provided by law relating to the registration of voters, the names of legal voters of said district, who may be lawfully registered as voters at such special election. At the end of said day said board shall compare and correct said registers, shall cause the same to be signed by one of their number at the end of the list on each page thereof, and shall attach certificates to such registers in the form, so far as applicable, required to be attached by boards of registration to registers of voters on completion of the registration of voters in such city. No list of the names of voters appearing on such registers shall be required to be prepared or posted. Before ten o'clock on the next week day, said registers shall be deposited by one of said board in the office of the city clerk, who shall safely keep the same. Such registers shall be used as the registers of voters at such special election.

Sec. 310. Same—Compensation—The compensation for services at such special election shall be the same as provided by law for similar services at elections and with other expenses thereof shall be paid as provided by law relating to the payment of expenses at general elections.

Sec. 311. Same—General election law to apply—Except as otherwise provided in this chapter, or in the charter of the city in which such special election shall be ordered, the nomination of candidates and the registration of voters for such special election and such special election and all things pertaining thereto, shall be in accordance with and controlled by the laws of this state.

Sec. 312. Vacancy after division of district, who may vote—No change in the boundaries of any legislative district shall be effective as to any election to fill a vacancy in the representation therefrom when the term of the office which has become vacant commenced before such change was made.

Sec. 313. Printed instructions to voters—Uniform instructions to voters, printed in large type upon cards or heavy paper, shall be furnished by the secretary of state to the auditor of each county, containing such information as will enable the voters quickly and correctly to designate their choice. Whenever the auditor of any county shall notify the secretary of state that such instructions are also needed in any specified foreign language, the secretary shall furnish the same. Such cards shall be sufficient in number to allow one for each booth, and four additional for each district; and the auditor shall deliver such cards to the city, village, and town clerks in his county, who shall cause one to be posted in each booth, two in the polling room, and

two on the outside of the building in which the voting takes place.

Sec. 314. Duty of officers—Proclamation by mayor—The mayor and all peace officers shall see that the law in relation to the sale and use of intoxicating liquors on election days is strictly enforced, and the mayor of each city, on the day preceding any election therein, shall issue a proclamation that the same will be so enforced; but the failure to issue such proclamation shall not exempt any person violating said law from the penalties thereof.

Sec. 315. Intoxicating liquors at polling places forbidden—Any person or persons introducing in any way upon any election day into a place where an election is being held any malt or spirituous liquors, and any judge or clerk of election, constable or challenger drinking any such liquors in such place, or being intoxicated therein, upon any election day, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment not exceeding sixty days, or by both, such fine and imprisonment, in the discretion of the court. ('07 c. 307)

Sec. 316. Sample ballots—Notice—All ballots shall be printed as hereinafter prescribed, except where voting machines have been provided. At least three weeks before any general election, the secretary of state shall mail to the auditor of each county, sample copies of the official state ballots, and at least two weeks before such election the auditor shall cause one week's published notice to be given of the contents of the official ballots for state and county officers.

Sec. 317. White ballot—Contents—How provided and distributed—There shall be one ballot on plain white paper, called in this chapter the "white ballot," upon which the names of all candidates for offices to be voted for throughout the state shall be printed. It shall be prepared under the direction of the secretary of state, and bound in blocks of fifty; and a sufficient number thereof to enable the clerks to comply with the provisions of this chapter shall be by him forwarded by express to the auditor of each county at least fifteen days before the election, and receipts, stating the number and date when received, taken therefor. On the fourth Tuesday preceding the day of election, the secretary of state shall file a sample thereof in his office for public inspection.

Sec. 318. Pink ballots for constitutional and other questions—The secretary of state shall also prepare and distribute a ballot printed on pink paper, hereinafter called the "pink ballot," upon which all propositions and questions to be voted upon throughout the state shall be so printed that the voter may conveniently indicate by a mark (X)

either a negative or an affirmative answer to each. Such ballots shall be deposited in a separate box, painted pink. They shall be counted, canvassed, and returned as in the case of the white ballots, and the tally sheets and return blanks shall provide suitable columns and spaces therefor.

Sec. 319. Red ballot for city election—There shall be one ballot on red paper, hereinafter called the "red ballot," upon which the names of all candidates for city offices, and all questions and propositions relating exclusively to city affairs shall be printed. It shall be prepared under the direction of the city clerk, and bound in blocks of fifty, and together with the other ballots and the instructions provided for in this chapter, shall be by him delivered to the judges of election for each polling place, and a receipt taken therefor, stating the number of each color and the date when received. On the Tuesday next preceding election day, such clerk shall file a sample printed ballot in his office for public inspection.

Sec. 320. Lavender ballot for questions relating to charter bonds, etc.—All questions relating to the adoption of a city charter or any amendments thereto, or any proposition for the issuance of bonds, by any municipality as provided for by any statutes of this state enacted in pursuance of section 36 of article IV of the Constitution of Minnesota, submitted at any election to the electors of the municipality, shall be printed on one separate lavender colored ballot and shall be prepared, printed and distributed under the direction of the city clerk at the same time and in the same manner as other city ballots. Such ballots, when voted, shall be deposited in a separate ballot box, painted in a lavender color, to be procured by the local authorities for each voting precinct. Such ballot shall be canvassed, counted and returned and the result thereof declared in the same manner as other city ballots. The person under whose direction tally sheets and blanks for election returns are printed, shall print such tally sheets and blanks for election returns in such manner as to provide appropriate spaces and columns for counting, canvassing votes, and making proper returns for the question so placed on such lavender colored ballot.—Chap. 87, Laws 1905.

Sec. 321. Blue ballots—Contents—How furnished and distributed.—There shall be one ballot on blue paper, called in this chapter the "blue ballot," upon which shall be printed the names of all candidates for office, and all questions and propositions to be submitted, except those required to be placed on other ballots. It shall be prepared under the direction of the county auditor, and, together with the white and pink ballots, shall be delivered by such auditor to the proper clerks in suffi-

cient quantities to enable them to comply with the provisions of this chapter. The auditor shall give timely notice by mail to the clerks of the time when the official ballots will be ready; and such clerks, on the Thursday next preceding election day, shall go to the county seat and receive them, and give receipts therefor, stating the number of each and the date when received. On the second Thursday preceding election day, the auditor shall file a sample of such ballot in his office for public inspection.

Sec. 322. County Auditor to send ballot to clerks and judges, etc.—Wherever the primary and general election laws now provide that the village and town clerks and judges of election in unorganized towns, go to the county seat and receive the official ballots, hereafter the auditor of each county shall, at least one week before the day of election, send by registered mail or express to the village and town clerks and judges of election, the official ballots that each is entitled to receive; also sealing wax, stamp and the necessary postage to register and mail the election returns and other papers, as provided in section 2 (507) of this act.

Sec. 323. Number of ballots provided—At least one hundred ballots of each kind to be voted shall be provided by the clerk for each polling place for every seventy-five voters there registered at the preceding election. If for any known reason a greater number may be needed, sufficient additional ballots shall be furnished.

Sec. 324. General description of ballot—Uniformity required—All ballots shall be printed with black ink on paper of sufficient thickness to prevent the printing thereon from being discernible from the back; all ballots of the same color shall be substantially uniform as to style, size, thickness and shade of color; and the same type shall be used for the names of all candidates on the same ballot. Whenever ballots of any class are printed on paper of the same general tint, but varying in shade, those used in any one district shall be of the same shade.

Sec. 325. White and pink ballots—General description—The white and pink ballots shall be not less than four nor more than six inches wide, and as long as the list of candidates to be voted for or the questions submitted may require, and shall contain, in such order of precedence as the secretary of state shall direct, conformably to this chapter, the official title of all offices proper to be placed thereon, followed by the names of the candidates for each. Such ballots shall be headed by the words "State Ballot" in heavy-faced plain letters, not smaller than long primer nor larger than great primer, with a heavy rule above and below the same.

Sec. 326. Same—Names, etc., how printed—The name of each candidate and of the office to be filled shall be printed at right angles with the length of the ballot, in plain Roman type, not larger than long primer nor smaller than brevier; the name of each candidate in capital letters, preceded on the same line by the title of the office in capitals and small letters. Except in case of presidential electors each name shall be followed on the same line, in upper and lower case letters, by the party designation of the candidate. At the right of and on a line with such names and designations, near the margin, there shall be a space so inclosed by rule work as to make a square three-eighths of an inch in size, in which the voter may designate his chioce by a mark (X). Above and below each name shall be printed across the ballot a light line, except that above and below each office a heavier line shall be so printed. Below the name of the last-named candidate for each office shall be placed as many blank lines as there are offices of the kind to be filled, preceded by the title of such office. The spaces for the names of candidates shall be three-eighths of an inch wide. At right angles with such lines and at the right of the small squares shall be printed opposite each office the words "Vote for one," or "Vote for two," or more, according to the number to be elected.

Sec. 327. Same—Written names—Party precedence—Like squares shall be placed at the right of the blank lines, and on such lines the voter may write the names of persons for whom he desires to vote whose names are not printed, and in the square opposite the same he may make marks as in the case of printed names. The first name printed for each office, or group of names if more than one is to be voted for the same office, shall be that of the candidate of the political party which at the last preceding general election polled the largest number of votes, the same to be determined by the average vote received by such of its candidates as were not endorsed by any other party; and, in case all of the state candidates of any political party were indorsed or renominated by another party, the position of the candidates of either such nominating or indorsing party shall be determined by taking the average vote of its candidates at the last preceding election wherein they were not so indorsed. In like manner the second and succeeding lines shall be filled with the names of candidates of the other political parties receiving respectively the highest number of votes.

Sec. 328. Same—Nominees by petition—Instruction to voters—The names of candidates nominated by petition shall follow those of candidates of conventions in the order in which the petitions are filed. Each such ballot shall contain, above the first name thereon, the words "Put a cross (X) opposite the name of each candidate you wish to vote

for, in the square indicated by the arrow," and on a line with such word and over such squares shall be printed a small arrow, or point thereof, pointing downward.

Sec. 329. Same—Presidential electors—Groups voted for together—When presidential electors are to be voted for the candidates of each party therefor shall be grouped and printed together, the names of each group to be arranged in the order in which they were filed. The secretary of state shall cause the names of the candidates of each political party to be printed in capital letters, set in six point type, the names to be arranged in two columns. The political or party designation shall appear but once for each group, said designation following a scroll or bracket on the right, and immediately following this, in the center, shall be printed in bold type the surname of the presidential candidate represented. To the right of, and on a line of such surname, near the margin, shall be placed a square, in which the voter may indicate his choice by a mark (X), and one such mark opposite a group of presidential electors shall be counted as a vote for each elector in such group, the form for each group to be substantially as follows:

For Presidential Electors:	John Doe E. E Smith James Jones Richard Doe William Smith A. C. John	Charles Boe R. T. Cones L. O. Cooke R. C. Dunn G. W. Wilson G. Hadley	Republican—Taft	—— ——

The relative position of the several groups shall be determined by the rules applicable to other state officers. The groups of electors shall be separated by a blank space one quarter of an inch in width and so arranged as to permit placing a cross (X) after each name, and no blank lines shall be printed therein as in the case of other candidates or groups. Above the names of the electors shall be printed in bold type, "Presidential ticket, vote once opposite group." The state ballot, with the required heading, shall be printed below the electors, with a blank space between, one inch in width.—Amdt. Chap. 510, Laws 1913.

Sec. 330. Party name—Use of on ballot—A political party which has adopted a party name, and whose state candidates, or any of them, polled at the preceding general election at least one per cent of the vote cast, shall be entitled to the exclusive use of such name for the designation of its candidates on the official ballot, and no candidate of any other party shall be entitled to have printed thereon as a party designa-

tion any part of such name. Nor shall any person be named on the official ballot as the candidate of more than one party, or of any party other than that whose certificate of his nomination was first properly filed.

Sec. 331. Form of other ballots—The blue and red ballots shall be prepared and printed as nearly as may be in the same manner as the white, and, when a general election is to be held at the same time, the several tickets shall be arranged in the same order as on the white ballots, regardless of the vote polled in any particular county or municipality. When not held in conjunction with a general election, the local party tickets shall be placed on the ballot in the order of the vote polled by the parties at the last general election within the territory in which the election is to be held.

Sec. 332. Ballot, how printed on back—On the back of each ballot shall be printed, in plain type not smaller in size than great primer, the words "Official Ballot," the date of the election, a facsimile of the official signature of the officer under whose direction the ballot is printed, and lines for the initials of two judges of election. Such printing shall be so placed as to be visible when the ballot is properly folded for deposit.

Sec. 333. Ballot to contain only candidates properly nominated—Only the names of duly nominated candidates shall be placed upon the ballots and no ballot shall be furnished to the judges of any district which contains the name of a candidate who cannot properly be voted for therein.

Sec. 334. Rotation of names, when required—Whenever two or more persons are to be elected to the same office, the names of all candidates of the several political parties for such office shall be so alternated on the ballots used in each election district that they shall appear thereon substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. All officers charged with the preparation and distribution of such ballots shall cause the printer's forms to be so transposed and the blocks of ballots to be so made up as to carry out the intent hereof: provided, that nothing in this section shall apply to the office of presidential elector.

NOMINATIONS BY DIRECT VOTE

Sec. 335. Primary election—Purpose—Time of Holding—Notice—On the third Tuesday in June, preceding any general election and seven

weeks preceding any city election in cities of the first and second class held for the purpose of electing city officers only, an election of nominees, hereinafter designated as the "primary election," shall be held in each election district for the selection of party and other candidates for all elective offices within the state, to be filled at such election except offices of towns, villages and cities of the third and fourth class, and members of school, park and library boards, in cities having less than one hundred thousand (100,000) inhabitants, and except presidential electors and the office of county surveyor. Every town, city and village clerk shall give at least fifteen days' posted notice of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated. The day for such primary election shall be the first day of registration in all election districts, except in cities of the first class.—Amdt. Chap. 389, Laws 1913.

Sec. 336. Political party defined—Nominations, how made—Non-partisan primary ballot—Certain candidates to run in classes—County surveyor—A political party, within the meaning of this chapter, is one which shall have maintained in the district or territorial division in question a party organization, and presented candidates for election at the last preceding general election one or more of which candidates shall have been voted for in each county within the state at such election and shall have received in the state not less than five (5) percentum of the total vote cast for all candidates at such election or whose members to a number equal to at least five (5) percentum of the total number of votes cast at the preceding general election in the county where the application is made shall present to the county auditor a petition for a place on the primary election ballot. Candidates for office shall be chosen at such primary election by voters of several political parties and not otherwise; provided, however, that the chief justice and the associate justices of the supreme court and judges of the district, probate and municipal courts and all members of the state legislature, and all elective county officers, and municipal officers in cities of the first and second class, shall be nominated upon separate non-partisan ballots, as hereinafter provided. Provided further, that all qualified and duly registered voters may participate in the choosing of candidates for city office as provided for in the city charter of cities having home rule charters; the names of all candidates for nomination for the office of chief justice, associate justice of the supreme court, judges of the district court, probate and municipal courts and all members of the state legislature, and all elective county officers, and all municipal offices in cities of the first and second class, shall be placed

upon a separate primary ballot hereinafter designated as "non-partisan primary ballot."

No party or other designation, except as above, shall be placed on such ballot except as herein provided, nor shall any candidate filing for nomination on said non-partisan primary ballot be permitted or required to state his party affiliation. All provisions of law relating to the nomination of party candidates as to the form of ballot, including rotation of names, the endorsement thereon, voting, marking ballots, counting, returning and canvassing results, shall apply to nomination of said officers except that the tally sheets and returns shall be made separately, and except that non-partisan offices shall not be classified on the ballot or otherwise. Each voter shall be entitled to vote a non-partisan primary ballot without reference to his party affiliation.

The two candidates for nomination for every such non-partisan office who shall receive the highest number of votes, ascertained as provided by this act, shall be declared the nominees and their names shall be placed upon the election ballot, without party designation, and when two or more persons are to be elected for the same office, at a general election running at large in a city, county, district or in this state, the non-partisan nominees to be placed upon the general election ballot shall be the number of candidates not exceeding twice the number of such persons to be elected for the same office which shall receive the highest number of votes at such primary election; provided that when only two persons file for the nomination for any non-partisan office, or not more than twice the number of persons to be elected to any non-partisan office file for the nomination thereof, their names shall not be placed upon the non-partisan primary ballot, but said persons shall be considered and shall be the nominees for such office and their names shall be placed upon the general election ballot as such non-partisan nominees. But nothing herein shall prevent the nomination of candidates by groups, individuals or so-called political parties which cannot be recognized as such, by certificate of voters to the number hereafter specified. The names of candidates nominated by certificates for offices hereinabove designated as non-partisan shall have no party or other designation on the certificate or on the election ballot.

Where there are two or more offices to be filled by candidates running at large in a city, county, district or in the state, except for offices hereinabove designated as non-partisan, such offices shall be classified and numbered one, two, etc., using as many classes and numbers as there are offices at large to be filled, which said classification, numbers and the manner in which the same shall appear on the primary ballot shall be substantially as follows:

CLASS NO. 1

(Designated Office)	First Choice. Vote for One	Second Choice. Vote for One
A. B.....		
C. D.....		
E. F.....		
G. H.....		

CLASS NO. 2.

(Designated Office)	First Choice Vote for One	Second Choice Vote for One
A. B.....		
C. D.....		
E. F.....		
G. H.....		

The officer preparing said ballot shall provide as many classes and numbers as there are offices at large to be filled. Every person when filing as a candidate for the nomination for any such office shall designate in his affidavit the number and class in which he desires to file and become a candidate and his name shall be placed on the ballot in such designated number and class. Such classes shall be rotated upon the ballots in the same manner as provided by law for the rotation of names of candidates.

The name of the candidate who has filed for such office, or who shall file for the same, shall not be placed on the ballot if he shall fail, neglect or refuse to designate the class and number in which he desires to file and become a candidate, as hereinbefore provided.

The nomination of candidates for the office of county surveyor shall be made as follows:

On or before Tuesday, seven weeks preceding any general election, and not sooner than Tuesday, fourteen weeks preceding any general election, any person eligible and desirous of having his name placed upon the election ballot as a non-partisan candidate for the office of county surveyor shall file his affidavit with the county auditor of his county, stating his residence, that he is a qualified voter in such county, and the said office for which he desires to be a candidate.

The fee required for filing certificates of nomination as provided by law shall be paid at the time of filing such affidavit.

Such nominations may also be made upon petition by affidavit of not less than fifty and not more than one hundred electors of such county, substantially in the form hereinbefore provided, filed in the same manner and consented to in writing by the party so to be nominated. Provided, that such petitioners shall not be eligible to sign more than one petition for the same office. The persons so nominated shall have their names printed upon the official ballot prepared for the ensuing general election without party designation, upon the payment of the fee as herein provided.—Amdt. Chap. 389, Laws 1913.

Sec. 337. Political party—Change of name—Any political party as defined by the election laws of this state may change its name by complying with the following conditions:

The state central committee of such political party may call a convention, and shall state in its call that a convention is called for a certain time and place, for the purpose of changing the name of such party to some specific name given in such call. Such convention shall be held before the termination of the time for filing for nomination for primary elections preceding the general state election, and such change shall be agreed by resolution of a majority of such convention.

A copy of the resolutions determining upon such change of name, certified by the chairman and secretary of such convention, shall be filed with the secretary of state within five days after the holding of such convention. Thereafter such political party shall be known by the new name called for by said resolution, and said party under its new name shall have all the rights that it had under its former name.

Sec. 338. Election districts for primary elections—The primary election shall be held, in the several districts established for the election next ensuing, at the place where the last election was held, or such other place as may be lawfully fixed. All officers required by law to establish, divide, or combine election districts shall perform their duties in that behalf at least two weeks prior to such election. The maps or descriptions of districts shall be posted at least one week preceding such election, and copies thereof shall be furnished to the judges of election.

Sec. 339—Names of candidates, when placed on primary ballot—Fees—Non-partisan ballot—At least forty days before the primary election any party eligible and desirous of having his name placed upon the primary ballot as a candidate for chief justice or associate justice of the supreme court, judge of the district court, state or congressional office or member of the state legislature, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when in a single county, stating his residence, that he is a qualified voter in the subdivision where he seeks a nomination, the name of his party, if for a party office, and the office for which he desires to be a candidate; and if for a party office that he affiliated with said party at the last general election, and, either that he did not vote thereat or voted for a majority of the candidates of said party at such election and intends to so vote at the ensuing election; provided, that all candidates for offices not enumerated above in this section shall file their affidavit as herein provided, not less than twenty days before said primary election. Upon payment by such candidate to the secretary of state of twenty dollars ($20.00), if for any office to be voted for in more than one county, or if for any office to be voted for in only one county, upon payment of ten dollars ($10.00) to the county auditor thereof, the county auditor shall place the name of such candidate upon the primary election ballot of the party designated except where only one person has filed as a candidate for any one office in any one party the name of such candidate shall not be placed upon the primary ballot but shall be considered and shall be the nominee for such office for the party under which such candidate filed and his name shall be placed upon the general election ballot as the nominee of such

party for such office; provided, however, that candidates for the legislature shall pay ten dollars ($10.00) only to the secretary of state when the affidavit or petition is filed with him and ten dollars ($10.00) to the county auditor when filed with him, provided that the name of any eligible person may also be placed upon the non-partisan primary election ballot as a candidate for chief justice or associate justice of the supreme court or judge of the district court, upon petition in writing of electors filed within the same time and at the same place and upon payment of the same fee as is provided in case of filing of affidavits by candidates as follows:

For chief justice or associate justice of the supreme court, upon petition of five hundred (500) electors residing within the state; for judge of the district court upon the petition of two hundred fifty (250) electors residing within the district. Such petition shall be in writing and signed by each of the electors joining therein and shall be by each of them acknowledged before an officer authorized by law to administer an oath. Upon the compliance with such requirement, such names shall be placed upon the non-partisan primary election ballot. No petition shall contain more than double the number of signatures herein required and no officer shall receive for filing or file any petition containing more than double the number of signatures so required. Any person whose name is so presented and filed may withdraw the same by filing an affidavit of withdrawal thereof in the same office in which such petition is filed. Provided, each candidate for state offices, congressmen-at-large, and judges of the supreme court shall pay to the secretary of state the sum of fifty dollars ($50.00) each at the time of filing his affidavit with said officer.—Amdt. Chap. 389, Laws 1913.

Sec. 340. Order of filing—Fees, how disposed of—The secretary of state and county auditor respectively shall number each affidavit and petition in numerical order as received. The auditor shall immediately pay to the city treasurer all fees paid by candidates for city offices and all other fees received from candidates to the county treasurer. Immediately after the last day for filing nomination affidavits or petitions, the secretary of state shall divide the amount of all fees paid to him by candidates equally between the counties within which such candidates are to be voted for, and certify such division to the state auditor, who shall issue warrants therefor on the state treasurer for the amount due to each county.

Sec. 341. Voting is to be by ballot—Sample ballots—Form of primary ballot—All voting at a primary election shall be by ballot. On the nineteenth day before a primary election, the secretary of state shall certify to the auditors of the several coun-

ties the names of all nominees to be voted for within such counties whose certificates have been properly filed with him, and on the fourteenth day before such primary, each auditor shall group all the non-partisan candidates and the candidates of each political party by themselves, and prepare for public inspection a non-partisan ballot and a separate sample ballot for each political party. The names shall be arranged alphabetically according to the surnames, and each county auditor shall post the sample ballot in a conspicuous place in his office, and give one week's published notice thereof in the official newspaper of his county. One sample ballot only of non-partisan candidates and of each political party, shall be printed for any county, and thereon shall be placed the names of all candidates to be voted for in such county. Each ballot shall be headed by the party name, the words "Primary election ballot," the names of the county and state, and facsimile of the official signature of the auditor preparing it, and a column for first choice votes and a column for second choice votes. The non-partisan primary ballot shall be headed as provided in Section 2 (336) of this act and shall contain a column for second choice votes. Otherwise, the ballots shall be arranged in the same general manner as the ballot used at general elections, with suitable divisions and explanatory notes. Only one form of sample ballot for each political party need be printed for any city, and thereon shall be placed the names of all the candidates to be voted for in the entire city, those to be voted for in any single ward being indicated by the words and figures "First Ward," and so on. At the foot of the ballot shall be placed the heading "Ballot for women," under which shall be placed the names of candidates to be voted for by women.

Said ballots shall be substantially as follows:

OFFICIAL PRIMARY BALLOT

.....Party.
Designation of Party.

To vote for a person whose name is printed on the ballot, make a cross (X) after his name in the proper column, as follows:

A voter may vote for one first choice and one second choice for each office to be filled.

Mark your first choice with a cross (X) in the first choice column.

Mark your second choice with a cross (X) in the second choice column.

VOTE FOR ONE FIRST CHOICE AND ONE SECOND CHOICE

Governor	First Choice Vote for One	Second Choice Vote for One
A. B.....		
C. D.....		
E. F.....		
G. H.....		

The officer preparing the ballots shall provide necessary space for the officers to be nominated pursuant to law; provided, that in city primary elections in cities having home rule charters sample primary election ballots shall be prepared carrying out the intent of said charters of said cities, placing all names of candidates for city office on one ballot in each city without any party designation whatever, if the charter so provide. In such cities, except for the omitting of all party designation, the provisions of this section shall be followed as fully as practicable.—Amdt. Chap. 2, Laws 1912.

Sec. 342. Preparation of ballots—Rotation of names—City having home rule charters—The auditor of each county in which said primary election is held shall have printed a sufficient number of separate primary election ballots, varied as may be necessary for the several districts and wards. Said primary election ballot shall be in the same general form as to size and kind of type to be used, as is provided for the general election ballot, so far as is practicable. The names of candidates under headings properly designating each official position, shall be rotated upon the ballot in the printing so

that the names of all candidates for each office shall be so alternated on the ballots used in each election district that they shall appear thereon substantially an equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. All officers charged with the preparation and distribution of such ballots shall cause the printer's forms to be so transposed and the blocks of the ballots to be so made up as to carry out the intent hereof. There shall be no printing on the back of the ballots, or any mark to distinguish them, except the initials of the judge or clerk, provided that all offices for which no candidate is to be voted for at such primary election shall be omitted from the ballot. Provided, that in all city primary elections in cities having home rule charters, the officers designated in said charters shall prepare primary ballots for such city elections as provided in said charters, and this section shall apply there only in so far as it does not conflict with the provisions of said charters.—Amdt. Chap. 389, Laws 1913.

Sec. 343. Election officers to act at primary election—The judges and clerks of election shall act on the day of such primary election both as judges and clerks of such election and as registration officers, and vacancies may be filled and additional appointments made as in the case of elections. They shall receive no additional pay on account of such extra service.

Sec. 344. Form of blanks for registration of voters—The blanks provided for registration of voters for general elections shall have an additional column headed "Voted, primary election," and be used at both primary and general elections. No names of voters shall be placed upon said registers prior to the day of such primary election, except in cities of the first class, nor shall any be placed thereon upon said day, except the names of those who appear in person before boards of registration for that purpose.—Amdt. Chap. 2, Laws 1912.

Sec. 345. Polling places—Peace officers—Ballot boxes—So far as they shall be applicable, all provisions of this chapter relating to the location and arrangement of polling places, peace officers, procuring registers, ballots, boxes, and other supplies, opening polling places, and in reference to challengers and gatekeepers, shall apply to primary elections; except that only one ballot box for men and one for women shall be required.

Sec. 346. Hours for voting—The polls shall be kept open from 6 o'clock a. m. until 9 o'clock p. m. except in towns and villages and in towns and villages it is hereby provided that the polls shall

be kept open from 9 o'clock a. m. until 9 o'clock p. m., and the officers shall remain in session during the same hours for the registration of voters. If, at the hour of closing, there are any voters in the voting place, or in line at the door, who are qualified to register and vote and have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to register and vote but no one not present at the hour of closing shall be entitled to register and vote, although the polls were not closed when he arrived. No adjournment or intermission shall be taken except as provided in the case of elections.—Amdt. Chap. 23, Laws 1913.

Sec. 347. Qualification of voters—Manner of voting—Every person qualified as a voter may register therein and vote at such primary election. Having registered, and, in case of challenge, the same having been determined in his favor, he shall be entitled to a ballot of the political party whose candidates he shall declare (under oath if his right thereto is questioned) that he generally supported at the last election and intends to support at that next ensuing, except that when voting for the first time he shall not be required to declare his past political affiliation. Such ballot shall be so indorsed with the initials of two of the judges that the same will show when folded. He shall be instructed by one of the judges as to the proper method of marking and folding his ballot, and shall then retire to an unoccupied booth, and without undue delay mark the same with the indelible pencil there found. If he shall spoil or deface such ballot he shall at once return the same and receive another.

Sec. 348. First and second choice—How indicated—(a) Each elector shall be entitled to designate on his political party ballot, in the manner herein provided, the name of his first choice and also the name of his second choice as nominee for each office.

(b) The voter shall mark his ballot in the following manner to indicate his first and second choice:

(1) He shall place a cross (X) in the first column after the name of his first choice candidate, and a cross (X) in the second column after the name of his second choice candidate.

(2) He shall place but one mark in any one designated space.

(3) If a voter votes either in the first or in the second choice column, for two persons, such vote shall be counted as a first choice vote for the person voted for whose name appears first in such column, and as a second choice for the person voted for whose name appears lower in such column. Provided, if the voter votes for more than two persons for any one office, or if for any reason it be impossible to determine his choice for any office, his ballot shall

not be counted for such office; but the rest of his ballot, if properly marked, shall be counted. No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice, even though such ballot be somewhat soiled or defaced.

(4) A vote for one person only shall be counted as a first choice vote, whether the voter places his cross in the first or in the second choice column.

(5) A first and second choice vote cast for the same person shall be counted as a first choice vote only for such person.

(c) A voter shall designate his choice on the non-partisan primary ballot by marking a cross (X) in the small square opposite the name of each candidate for whom he wishes to vote.

(d) The rules of law governing the determination of the intention of the voter in all other elections shall apply to this act, except as herein otherwise provided.—Amdt. Chap. 2, Laws 1912.

Sec. 349. Folding and depositing ballot—When a voter has marked his ballot, he shall fold it so that its face will be concealed and only the initials on the back be visible, and hand the same to the judge in charge of the boxes. Such folded ballot shall be placed in the proper box, and the name of the voter checked upon the register in the column headed "Primary Election." So far as applicable, all provisions of this chapter relating to false registration, defacing posted lists, time allowed employes for voting, ballots, voting room, removal from district, regulations at polling places, challenge of voters, rules for marking ballots, methods of voting, violations of such provisions, and penalties, shall be observed and enforced.

Sec. 350. Preliminary to canvass—As soon as the polls are closed, and before the boxes are opened, the judges and clerks shall prepare upon a blank furnished by the auditor a statement substantially as follows: "Poll-list statement of primary election held in (name of election district, town, village, or city, and date). The number of persons whose names appear upon the register as present at the above named primary election was....., of whom .....were women. The number of ballots cast by men was....., and the number cast by women was..... ....." Such statements shall have the blanks for numbers filled by words and figures, and shall be signed by each judge and attested by each clerk. Such judges and clerks shall place in the register column headed "Voted, Primary Election," the word "No" opposite the name of every person who did not vote.

Sec. 351. Canvassing of votes and form of tally sheets—Canvass

of votes on primary ballots shall be made in the same manner and by the same officers as is provided by Chapter 6 of the Revised Laws of 1905, except as herein otherwise provided. The ballots shall be counted in the following manner: The election officers shall take the ballots from the boxes, count those cast by each political party and for non-partisan candidates, place them in separate piles and fasten together. As the first and second choice votes are called off from the political party primary ballots by the primary officers, they shall be entered by such officers on the tally sheets, a form for which shall be substantially as follows:

OFFICIAL TALLY SHEET

For Governor

Candidates	First Choice	Second Choice			
		A. B.	C. D.	E. F.	G. H.
A. B.....	50		30	15	5
C. D.....	40	25		10	5
E. F.....	25	15			3
G. H....	5	3	1	1	

Such officers' tally sheets on which the count has been so entered shall be included in the returns of such election. The officers of election shall on blanks to be provided for that purpose make full and accurate returns of the votes cast for each candidate, giving both first and second choice votes as herein provided. The returns shall set forth opposite the name of each candidate, the number of

first choice votes cast for such candidate, followed horizontally by a statement of the number of second choice votes cast by his supporters for each of the other candidates. Such tabular statement shall be substantially in the following form:

.....Precinct.....Party

For Governor

FIRST CHOICE	SECOND CHOICE			
Candidates	A. B.	C. D.	E. F.	G. H.
A. B.....(50)	..	30	15	5
C. D.....(40)	25	..	10	5
E. F.....(25)	15	7	..	3
G. H.....(5)	3	3	1	..
(120)	..	..	..	..

The officers shall seal the returns and return the same to the auditor in the manner and as provided by law.—Amdt. Chap. 2, Laws 1912.

Sec. 352. Auditor to furnish ballots and tally sheets for each party—The auditor shall furnish to each district, with the ballots, two sets of tally sheets or tally books for each political party having candidates and for non-partisan candidates to be voted for. Each tally sheet or the first sheet of each tally book shall be headed "Tally Sheet for.....(name of political party).....(name of city or village)..... (county).....(ward or town)..... election district, for a primary election held.....(date)." The names of candidates shall appear on the tally sheets, or tally books, in the order in which they appear on the official sample ballots, and in each case shall have the proper designation at the head thereof; provided, that in primary elections for city officers in cities having home rule charters, but two books or tally sheets shall be provided for each district, and party designations shall be omitted in headings and returns, if so provided in said charter.—Amdt. Chap. 2, Laws 1912.

Sec. 353. County canvassing board—The county canvassing board shall consist of the clerk of the district court, auditor, and chairman of the county board, together with two justices of the peace of the county selected by a judge of the district court from political parties opposed to that of the majority of those above mentioned, when possible. But no candidates for a nomination shall serve on said board, and the places of any so disqualified shall be filled by such judge by the appointment of qualified voters not holders of any public office. Such board shall meet at the court house at 10 o'clock a. m. on the second day after the primary election, take the oath of office, and publicly canvass the returns made to the auditor. Three members shall constitute a quorum, and it shall complete the canvass by the evening of the third day following the primary election.

Sec. 354. Reports of county canvassing board—Auditor to certify to the Secretary of State—The canvassing board shall prepare, sign and file with the county auditor the following report:

1. A separate statement of each political party of the names of all candidates thereof voted for at the primary election, the number and total of first choice and second choice votes received by each and for what office, showing for whom such second choice votes were cast and from the supporters of which candidate said second choice votes were received, in form as indicated in Section 8 hereof

2. A separate statement of the names of the candidates of each political party who are nominated.

3. A statement of the whole number of votes registered and the number of ballots cast at such primary election, men and women separately.

4. A separate statement of the votes received by each of the non-partisan candidates and the names of the non-partisan candidates nominated.

Whenever two or more candidates of the same political party receives an equal number of votes for the same nomination, the board shall determine the tie by lot. Upon completion of the canvass and on or before ten o'clock a. m. of the fourth day succeeding the canvass, the auditor shall certify to the secretary of state the vote, as shown by such report, for all candidates to be voted for in more than one county, and shall mail or deliver to each nominee to be voted for in his county alone, a notice of his nomination, and that his name will be placed upon the official ballot; provided, that in primary elections for city officers in cities having home rule charters said canvassing board shall file such

statement as will show the persons nominated for each office under the provisions of said charter, with as complete details as are provided for in this section, omitting all party designation, if so provided in said charters.—Amdt. Chap. 2, Laws 1912.

Sec. 355. Canvassing by state canvassing board—Secretary of State to certify to nominees—Rules for determining nominees—The state canvassing board, as constituted for canvassing the returns of general elections, shall open and canvass the returns of a primary election made to the secretary of state, at the usual place and hour of meeting, on the seventh day after such primary election. It shall determine ties between candidates as in the case of general elections. Upon the completion of the canvass, the secretary of state shall certify to the several auditors the names of the persons found to be nominated, and mail to each nominee a notice of his nomination.

1. The state, county and city boards of canvassers shall be guided by the following rules, except as herein otherwise provided:

(a) If any candidate for an office received a majority of the first choice votes he shall be declared nominated for such office.

(b) If no candidate is thus nominated, drop the name of the one having the least number of first choice votes and add the second choice votes cast by his supporters to the first choice votes of the remaining candidates for whom they were cast, and

(c) If no candidate then has a majority, drop from the remaining candidates the one having the least number of first choice votes combined with the second choice votes received through such elimination, and add the second choice votes cast by his supporters to the votes of the remaining candidates for whom they were cast.

(d) Repeat this operation until some candidate has a majority or until only two candidates remain. Then the one having the greatest number of votes to his credit shall be declared nominated.

(e) No second choice vote shall be counted when it is cast for a candidate whose name shall have been dropped as herein provided.

(f) Any tie shall be decided by lot by the canvassers.

(g) The person receiving the highest vote at such primary election, determined under the rules herein provided, as the candidate of any political party for an office shall be the nominee of that party for such office. Candidates on non-partisan ballots receiving the highest and next highest votes determined under the rules herein provided, shall be the nominees for the office for which they are candidates; provided, however, that if the number of

votes cast for any candidate or candidates of any party for any office at such primary election shall aggregate the number of votes equal to ten per cent or more of the average vote cast for state officers of that party at the last general election in the territory within which such candidates are to be voted for, then all candidates of that party within that territory shall be deemed to be the party nominees of such party; otherwise no candidates of that party within that territory shall be deemed nominated and in such case, such party candidates of such party may be nominated by petition as provided for in Secs. 213 to 216, inclusive, Revised Laws 1905 (371-374), and the candidates of any such party failing to receive such ten per cent of such vote shall be eligible for nomination under the terms of this provision. The term "state officers" as used in this act for the purpose of computing the average vote to determine the ten per cent vote as above provided shall be and is hereby defined to be the following officers: Governor, lieutenant governor, secretary of state, state treasurer and attorney general.—Amdt. Chap. 2, Laws 1912, as am. by Chap. 389, Laws 1913.

Sec. 356. Nominees of the several parties to be printed on official ballot for ensuing election—The persons certified by such canvassing boards to be nominated, shall constitute the nominees of the several political parties or the nominees under the terms of a home rule charter, or the non-partisan nominees, as the case may be, to be voted for at the next ensuing general election, and their names shall be printed upon the official ballots prepared for the ensuing election.—Am. Chap. 2, Laws 1912.

Sec. 357. Review by courts—Whenever it shall be made to appear by affidavit to any judge of the supreme court, or of the district court of the proper county, that an error or omission has occurred or is about to occur in the placing of any name on an official primary election ballot, that any error has been or is about to be committed in printing such ballot, or that any wrongful act has been or is about to be done by any judge or clerk of a primary election, county auditor, canvassing board, member thereof, or other person charged with any duty concerning the primary election, or that any neglect of duty has occurred or is about to occur, such judge shall order the officer or person charged with such error, wrong, or neglect to forthwith correct the error, desist from the wrongful act, or perform the duty or forthwith show cause why he should not do so. Failure to obey the order of such judge shall be contempt of court.

Sec. 358. Contests for nomination—Any candidate at a primary election desiring to contest the nomination of another candidate for

the same office may proceed by affidavit within five days after the completion of the canvass, as specified in section 357; and the contestee shall be required by the order of such judge to appear and abide the further order of the court made therein.

ELECTIONS IN TOWNS AND VILLAGES HAVING 5,000 INHABITANTS

Sec. 359. To be held under Australian ballot system—Preliminaries—That all elections of town and village officers, in all towns and villages having a population of 5,000 or over according to the last federal or state census, shall be held and conducted under the so-called "Australian ballot system," as provided by law for general elections in this state as far as practicable. This shall relate to no preliminaries of such elections except the filing of candidates and the preparation of ballots, as hereinafter provided.

Sec. 360. Affidavit of candidate—No primary election—Duties of clerk and recorder—Ballots—Candidates for such offices shall file an affidavit at least two (2) weeks before election with the town clerk or village recorder, as the case may be, paying to such officer a fee of one dollar ($1.00). Such affidavit shall be substantially as provided by Chapter 2 of the Laws of 1912 (339) relating to non-partisan offices. There shall be no primary election, but the filing of such affidavits shall be a prerequisite to having the name of the candidate placed on the official ballot for the general town or village election. The town clerk and village recorder shall prepare and have printed, at the expense of their respective municipalities, the necessary tally sheets and ballots for such election. The ballots shall be printed on yellow-tinted paper, but without the fac-simile of the signature of the county auditor. The ballots shall contain no party designation of any candidate, and the names of the candidates for each office shall be arranged on the ballot alphabetically, according to the surname of each candidate. The ballots shall be counted, tallied and preserved as in general elections, except that the town clerk or village recorder shall be the final custodian of such ballots, of his respective municipality. A sample ballot shall be posted at the place of election at least two (2) days before such election by the officer whose duty it is to preserve such ballot.

Sec. 361. Offenses and penalties—All of the provisions of laws now in force relating to offenses and penalties in connection with general elections are hereby made applicable to town and village elections.

NOMINATIONS BY CONVENTION

Sec. 362. Delegates, how and when selected—Notice—Candidates whose nominations are not required to be made by a primary election may be nominated by a delegate convention called for the purpose. The authorized county or city committee of any political party, at least twenty days before the time fixed for the election of delegates, shall give two weeks' published, and at least six days' posted, notice of primaries for the purpose of electing the number of delegates to which each district is entitled, and of the offices for which nominations are to be made. Except as otherwise especially provided, such primaries shall be conducted in accordance with the provisions of this chapter relating to primary elections, in so far as the same can be applied. All such primaries shall be held at the regular polling places, and those of each county on the same day, at an hour thereof between 2 and 9 o'clock p. m. appointed by the committee calling the convention, and shall be kept open for at least one hour.

Sec. 363. Conventions to elect delegates—When the delegates so chosen are to form a convention for the election of delegates to a state convention or to that of a district of the state larger than a county, the party conventions of the several counties shall all be held on the same day. Such state or district conventions shall be called by the authorized party committee of such state or district, substantially as prescribed in section 362, and the day for holding the county conventions shall be named in the call.

Sec. 364. Conduct of election—At the hour appointed for holding such primaries the chairman or secretary of the party committee of the district or, if neither be present, some member of the party who is a voter in the district, shall call the meeting to order. Those present and qualified to vote at such election shall choose from their number, viva voce, a chairman, clerk, and two judges of the election. The delegates shall be chosen by ballot, and each may contain as many names as there are delegates to be elected from the district. If more be placed thereon, the ballot shall be void. Those receiving the highest number of votes shall be declared elected, and, if there be a tie, the judges and clerk shall determine it by lot.

Sec. 365. Same—Who may vote—Change of party—The chairman shall preside, and may administer the oath to the judges and clerk and to those whose right to vote is challenged. Only those shall vote at the primary who affiliated with the party at the preceding general election; but if any voter of the district shall satisfy

the judges by his oath that he did not vote at the last general election or voted and affiliated with the political party holding such primaries at the last general election and intends to so vote and affiliate at the ensuing election, his vote shall be received. No person shall vote for the delegates of more than one party in any calendar year.

Sec. 366. Same—Announcing result—Certificates and lists—The clerk shall keep a record of the proceedings of such primary, and may administer the oath to the chairman. The judges shall receive and count the ballots of all having the right to vote at the primary and none others. They shall record the names and addresses of all persons voting. Both judges and clerk shall subscribe the oath required of judges and clerks of election. At the closing of the polls they shall count the ballots and report the same to the chairman, who shall publicly announce the result forthwith. The chairman and clerk shall then furnish each delegate elected with a certificate of his election, and transmit to the chairman of the committee calling the primary a list of the names and addresses of the persons who voted thereat.

Sec. 367. Provisions not applicable in certain cases—The provisions of this chapter relating to conventions shall not apply to primaries in villages, town, or school districts. The provisions relating to notice of delegate primaries shall not apply to the choice of delegates to a convention held to nominate candidates to be voted for at a special election, but such conventions, and the elections to choose delegates thereto, may be called and held in such manner, and at such times and places, as the proper party committees may determine.

Sec. 368. Vacancies—If an elected delegate for any reason fails to serve, his place shall be filled, from the voters of his party in his district, by the remainder of the delegation. If no such voter be present at the convention, the delegates present may cast the full vote. And, if an entire delegation shall fail to attend, the convention may select qualified voters of the party residing in the district, if such be present, to act in lieu thereof.

Sec. 369. Nominations—How certified—The certificate of nomination of a candidate selected by convention shall be signed and certified by the presiding officer and secretary thereof, who shall also take and subscribe an oath that the facts stated in the certificate are true; and the secretary shall immediately deliver such certificate of nomination to the officer charged with directing the printing of the ballots upon which the name is to be placed; and, in case he shall neglect to do so, he shall be guilty of a misdemeanor.

Sec. 370. Convention defined—A convention, within the meaning of this chapter, is an organized body of delegates, representing a political party, assembled for the purpose of nominating candidates for office, which party at the last general election before the holding of such convention polled at least one per cent of the entire vote cast in the state, county, or other district for which the nomination is made.

NOMINATIONS BY VOTERS

Sec. 371. Petition nomination prohibited for non-partisan office, unless for vacancy—The certificate of nomination of a candidate selected otherwise than by a convention of delegates shall be signed only after the holding of the regular primary election by electors resident within the district or political division from which the candidate is presented, as follows: If for a state office on a state ticket equal to one per cent of the entire vote of the state cast at the last preceding general election; if for a congressional or judicial district office, by five per cent of the entire vote cast in any such district at the last preceding general election; and if for a county, legislative or municipal office, by ten per cent of the entire vote cast in any such county, city, village, ward or other election district at the last preceding general election. Provided, that the number of signatures required shall not exceed two thousand (2,000) for any state office, nor five hundred (500) for any congressional or judicial district, nor for any other office, provided that no person shall be nominated by petition pursuant to this section for any office now or hereafter declared to be a non-partisan office except in case of vacancy.—Amdt. Chap. 389, Laws 1913.

Sec. 372. Form of certificate—Such certificate of nomination, which may consist of one or more writings, shall contain the name of the person nominated, the office for which he is nominated, the party or political principle he represents, expressed in not more than three words, and his place of residence, with street and number thereof, if any. In case of presidential electors, the names of the candidates for President and Vice-President may be added to the party or political appellation.

Sec. 373. But one name in certificate—Petitioners, how limited—All nominating certificates containing the names of more than one candidate shall be void. No person shall sign a certificate of nomination by voters until after the date of the primary election. No person who has voted at a primary shall be eligible as a petitioner

for any nomination to an office for which nominees were voted upon at such primary. Nor shall any person join as a petitioner in nominating more than one candidate for the same office, unless more than one person is to be elected thereto; in which case, if eligible, he may petition for as many candidates therefor as there are persons to be chosen.

Sec. 374. Oath of signers—Following the facts required to be stated in each certificate signed by voters, shall be written or printed an oath in the following form: "I solemnly swear (or affirm) that I know the contents and purpose of this certificate, and signed the same of my own free will." Each signer, at the time of signing, shall be sworn as aforesaid.

NOMINATION AND ELECTION OF UNITED STATES SENATORS

Sec. 375. Secretary of state to place names on ballot—At all primary elections next preceding the election of a senator in congress, the secretary of state shall cause to be placed upon the official primary ballots of the several counties the names of all electors seeking the nomination for senator in congress whose name shall have been duly filed under the provisions of this act.

Sec. 376. Affidavit to be filed 40 days before primary election—At least forty (40) days before the primary election, any person eligible and desirous of having his name placed upon the primary ballot as a candidate for United States senator in congress from this state shall file his affidavit with the secretary of state, stating his residence, that he is a qualified voter in the state of Minnesota, the name of his party, that he desires to be a candidate for the office of United States senator in congress, that he affiliated with said party at the last general election, and either that he did not vote thereat or voted for a majority of the candidates of said party at such election and intends to so vote at the ensuing election.

Sec. 377. Filing fee $100—Upon the filing of such affidavit in his office accompanied by a fee of one hundred dollars ($100.00), the secretary of state shall record the same and make a proper certificate and shall notify the county auditors of the several counties of the state of the fact of such filing and direct them to place upon the official primary election ballots of their respective counties, the name of the candidates seeking the nomination for senator in congress.

Sec. 378. County auditors to place names on official ballot——After the receipt of the notification of the secretary of state provided in the preceding section, the county auditors of the several

counties shall cause the name of all electors seeking the nomination for senator in congress from this state to be placed upon the official ballots of the party with which said elector affiliates as shown by his affidavit of nomination, printed by them for the ensuing primary election in their respective counties; and the names of said candidates for the nomination of senator in congress shall precede the names of all other candidates on each ballot.

Sec. 379. Provision for casting and counting ballot—The provisions of the primary law for the preparation of the ballots and for the casting, counting and canvassing of votes, and for determining the nominees, and for filling vacancies as contained in Sections 181 to 203, inclusive, and Section 217, Revised Laws 1905 (335-358, 395), as amended, are hereby made applicable to this act and all the provisions of said primary law are hereby made applicable to this act as far as practicable.

Sec. 380. Names of candidates for senator to precede candidates for state officers on official ballot—At each general election next preceding the election of a senator in congress by the legislature the secretary of state shall cause to be printed on the official state ballots, preceding the names of candidates for state offices, the name of the candidates for senator in congress, with their respective party designations as in the case of the names of the other candidates on said ballots.

Sec. 381. Canvass of votes—Certificate by secretary of state—At each general election referred to in this act the votes for senator in congress from this state shall be canvassed by the state canvassing board in the same manner as the votes for state officers, and the candidate for senator in congress receiving the greater number of votes shall be declared to be elected senator in congress from this state for the next vacancy in said office to be filled; and a certificate to that effect shall be delivered by the secretary of state to the said candidate.

Sec. 382. Writs to be issued by governor in case of vacancy—Governor may appoint to fill interim—If a vacancy occurs in the office of United States senator in congress from this state, the governor shall issue writs of election to fill such vacancy at the next general election. Provided that the governor may temporarily fill such vacancy by appointment, the person so appointed to serve only until the vacancy is filled by the people at the next general election.

Sec. 383. When two persons are to be elected—When two persons are to be elected United States senators in congress from this state at the same election, each person filing for the nomination as

provided in this act shall in addition to all other matters necessary to be stated in said affidavit designate the term for which he desires to be a candidate by stating the date of the expiration of such term, and such designation shall be printed opposite the name of such candidate on the primary ballot and opposite the name of the successful candidate upon the general election ballot. Such designation of terms shall be observed by all the election officials and canvassing boards at both the primary and general elections.

PRESIDENTIAL PRIMARIES AND NATIONAL CONVENTIONS.

Section 384. Presidential preference primary election to be held on second Tuesday in March—In the years when the president and vice-president of the United States are to be elected, there shall be held, on the second Tuesday in March of said year, an election for the purpose of allowing a popular expression for the party nominations of president and vice-president, for nomination of presidential electors and for the election of delegates and alternates to the national conventions of each political party.

Sec. 385. How conducted and how votes are to be canvassed—Except as herein otherwise provided, such election shall be announced, held and conducted and the results canvassed and returned in the same manner as is now provided by law for primary elections, excepting that there shall be no registration of voters prior to the election herein provided; and provided that nothing contained in this act shall alter or amend the existing primary election law except as herein specifically provided.

Sec. 386. How voted in state and districts—The presidential electors to which the state of Minnesota is entitled, as provided by law and the constitution of the United States, and the delegates at large to which said state is entitled, as fixed by the rules of the national committee of the political party with which the candidates are affiliated, shall be voted upon throughout the state. The delegates from each congressional district, as fixed by the rules of the national committee of the political party with which the candidates for delegates are affiliated, shall be voted for in such district.

Sec. 387. Candidates for president and vice president, how placed on ballot—Affidavit of candidate for elector or delegate—The names of candidates for president and vice-president shall be placed upon the ballot by a petition of two per centum of the total vote cast for the candidate for president at the last preceding presidential election of the political party with

which such signers are affiliated, not exceeding, however, five hundred petitioners. Any person eligible and desirous of having his name placed upon the ballot as a candidate for presidential elector or delegate, shall, at least thirty days before such election, file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when in a single county, stating his residence, that he is a qualified voter of the subdivision where he seeks nomination, the name of his party and the office for which he desires to be a candidate and either that he affiliated with such party at the last general election and either that he did not vote thereat or voted for a majority of the candidates of said party at the last general election and intends to so vote at the ensuing election, and that he will, to the best of his judgment and ability, faithfully carry out the wishes and preferences of the voters of his political party as expressed by the voters at such nominating election.

Sec. 388. Voter to vote for delegates from state and congressional districts—Every qualified voter shall have the right at such presidential primary election to vote for the number of candidates for national delegates from his congressional district and the number of candidates for delegates at large as are fixed by the rules of the national committee of the political party with which such voter and candidates for delegates are affiliated and for the nomination of candidates for presidential electors to which said state of Minnesota is entitled, as provided by law and the constitution of the United States.

Sec. 389. To declare party affiliation—Before receiving any ballot at the election provided for herein each elector must declare the name of the party with which he intends to affiliate in the coming general election, under oath if any judge may so desire, and he shall receive only the ballot of the political party with which he declares his intention so to affiliate.

Sec. 390. Delegates and alternates—In the election of delegates to party conventions the persons having the largest number of votes shall be elected delegates and the persons receiving the next highest number of votes shall be elected alternates.

Sec. 391. Duties of secretary of state and auditors—The secretary of state shall certify to the auditors of the several counties the names of all persons to be voted for within such counties whose affidavits or petitions have been properly filed with him for presidential electors, delegates, president and vice-president of the United States, as near as practicable, as provided by Section 186, Revised Laws

1905 (341), as amended, and the county auditors shall prepare for use in their respective counties, a primary ballot for such election, as near as practicable, as provided in Sections 186 and 187 of the Revised Laws 1905 (341-342), as amended, and said ballots shall be so prepared as to permit an expression by the voter voting the same, upon each of the candidates for all the positions provided for in this act, including the office of president and vice-president. The names of candidates for president and vice-president shall appear at the top of the ballot. The names of all candidates for president and vice-president of the United States shall be so printed on said ballots solely upon petition of their political supporters in Minnesota without such persons themselves signing any petition or acceptance, and the persons receiving the highest number of votes of his party voters shall be decided to be the choice of such party for the office of president and vice-president of the United States, and the delegates of such political party shall, to the best of their judgment and ability, faithfully carry out the wishes and preference of the voters of his political party as expressed at such election.

Sec. 392. Delegates to be entitled to reimbursement for expenses to national convention—Every delegate to a national convention shall be entitled, upon filing proper vouchers with the state auditor, to reimbursement for his expenses incurred for actual attendance upon such convention to an amount not exceeding $150.00, and where an alternate attends such convention, sits in the place of a delegate and performs the duties as such, he shall be entitled to the reimbursement herein provided.

Sec. 393. Delegates—How chosen—Delegates and alternates to said national convention shall be chosen only as herein prescribed.

Sec. 394. National committeeman—Delegates and alternates of each political party chosen under this act shall meet together immediately after the nomination of party candidates for president and vice-president of the United States and shall choose a duly qualified member of their party, being a citizen of Minnesota, to serve as a national committeeman for the term of four years.

GENERAL PROVISIONS

Sec. 395. Vacancy after nomination—If a vacancy occurs after nominations have been made it may be filled at any time before the general election by filing with the proper officer a nomination certificate in form and substance as hereinbefore provided, executed by the chairman and secretary of the proper committees of the party

whose voters make the original nomination, under the direction of such committee, and the chairman and secretary when so filing such certificate must attach hereto an affidavit to the effect that such candidate has been duly selected by said committee and that the persons signing said certificate and making such affidavit as such, are the duly authorized chairman and secretary of said committee. If there is no proper committee to fill such vacancy, as above provided, then in that event the person receiving the next highest number of votes for such office at such primary election shall be the candidate for such office and if there is no other candidate for such office and a vacancy exists by reason of this fact, the vacancy may be filled by the proper officer placing upon the ballot the name or names of such candidates as are nominated by petition in the manner provided in Sections 213, 214, 215 and 216, Revised Laws 1905 (371-374), provided that every registered voter of such party who was qualified and participated in the primary election is eligible to sign a petition choosing a nominee to fill said vacancy.—Amdt. Chap. 389, Laws 1913.

Sec. 396. Adhesive stickers to be used in case ballots have been prepared and printed—If the ballots have been printed, the officer whose duty it may be to have such ballots prepared and printed, shall, if such ballots be still in his hands, attach to said ballots over the name of the candidate who causes said vacancy, adhesive stickers, containing the name only of the candidate selected under the next previous section of this act. Should such ballots have been distributed before such vacancy occurs, then and in that event, said officer shall cause to be printed and distributed to the election judges to whom the ballots have been distributed, a sufficient number of adhesive stickers to correct the ballots as provided herein, and said election judges shall correct said ballots as herein provided.—Amdt. Chap. 2, Laws 1912.

Sec. 397. Candidates in more than one county nominated by voters—Whenever the nomination of a candidate to be voted for in any district larger than a single county is made by voter's certificate, the original thereof shall be filed with the auditor of the county where the candidate resides, and such auditor shall certify as many copies thereof, if presented to him, as there are other counties in the district, one of which certified copies shall be filed within the proper time with the auditor of each such county, and shall be authority for such auditor to place the name upon the blue ballots.

Sec. 398. Errors in printing ballots or certifying nominations—Whenever it shall appear by affidavit presented to any judge of the

supreme or district court that an error or omission has occurred in the printing of the name or description of any candidate on official ballots, or that any other error has been committed in preparing or printing the ballots or that the president or secretary of any convention has failed to properly make or file any certificate of nomination, or that the canvassing board of any primary election has failed to make and certify any nomination, or that the name of any person has been wrongfully placed upon the ballots as a candidate, such judge shall immediately order the officer or person charged with the error or neglect to forthwith correct the same, or perform his duty, or show cause why such error should not be corrected or such duty performed.

Sec. 399. Filing certificates—Certificates of nomination shall be filed as follows: With the secretary of state, of the names to be placed on the white ballots, on or before the fifth Saturday preceding the day of election; with the county auditor, to be placed upon the blue ballots, on or before the third Tuesday preceding the day of election; with the city clerk or other proper officer, to be placed on the red ballots, on or before the second Saturday preceding the day of election. In each case the officer with whom such certificate is filed shall give or send to the person filing the same an acknowledgment thereof upon the same day it is received, and shall file and preserve such certificates, subject to public inspection. But no filing of any certificate shall be effectual unless at the time thereof the prescribed fee shall be paid or tendered to such officer.

Sec. 400. Fees for placing names on ballot—The secretary of state, county auditor and city clerks shall place upon the ballots prepared by them, respectively, the names of all candidates duly nominated, whose certificates of nomination have been duly filed, accompanied by fees, as follows:

1. If to appear upon the white ballot, fifty dollars.

2. If upon the red ballot for a city of more than three thousand inhabitants, five dollars; if less, two dollars.

3. If upon the blue ballot, ten dollars, in case the candidate is to be voted for in one county only; otherwise, twenty dollars; provided, however, that candidates for the legislature shall in all cases pay ten dollars and candidates for county commissioner, whose compensation is less than three hundred dollars, five dollars.

But if no compensation be provided by law for the office or if the office be that of presidential elector, no nomination fee shall be required.—Amdt. Chap. 226, Laws 1907.

Sec. 401. No fee required, when—Every candidate for public

office who has been duly nominated at any primary election and who has paid the fee required by law to be paid on filing as a candidate at such primary election, shall, for the general election subsequent thereto, have his name as such candidate placed on the general election ballot without the payment of any additional fee.—Chap. 429, Laws 1907.

Sec. 402. Designation of candidates nominated on non-partisan primary election ballot and nominated by petition—After the name of each candidate on the general election ballot nominated on the non-partisan ballot at the primary election shall be placed the words "nominated at primary election non-partisan." After the name of each candidate nominated by petition shall be placed the words "nominated by petition," and such other designation as may be now permitted by law, except that the words "non-partisan" shall not be placed after or to designate any candidate not duly nominated at a primary election on the non-partisan ballot.—Chap.12, Laws 1912.

Sec. 403. Posted notice of election—When and by whom given—At least fifteen days' posted notice shall be given in each district by the several town, village, and city clerks of the time and place of holding any general election and twenty days' such notice of any special election therein, the hours during which the polls will be kept open, and the officers to be elected, if any; but no failure to give such notice shall invalidate a general election.

Sec. 404. Place of election—The council of every municipality shall by ordinance or resolution, and any town may by vote, designate the place of holding the election in each district; otherwise the election shall be held as near as may be at the place where the preceding election was held subject to change before the opening of the polls as provided by law.

Sec. 405. Division of towns—Notice—When any town board has divided the town into two or more districts, such board shall designate the place for holding elections in each at least thirty days before the day thereof, and cause at least twenty-five days' posted notice to be given in each district of the boundaries of the district and the place of holding the election.

Sec. 406. Towns may vote in villages—When so ordered by the voters at a town meeting, elections in such town may be held within any village formed from its territory. If no place in said village be designated by the voters, the town board shall select a place therein where the election shall be held. And, whenever a majority of such voters shall petition the board to change the voting place to any such village, it shall procure a suitable place therein, and give at

least four weeks' published and posted notice, before the election, of such change and place, without which no change shall be made. Such voting place shall be at least seventy-five feet from the village polls. Upon petition of a majority of the legal voters of any township to change the voting place to a village or city of less than ten thousand inhabitants, located in whole or in part in such town, the town board may procure a suitable place within such village or city for such election.

Sec. 407. Change of Voting Place of Townships, etc.—That whenever a majority of the legal voters of any township in this state shall petition the board of supervisors of such town to change the place of holding elections from where last held to an incorporated village, or to an incorporated city containing less than ten thousand inhabitants, located in whole or in part within such town, then said supervisors may procure a suitable hall or building in such village or city where the voters of such township shall hold their elections; and said township shall have power to purchase and own necessary real estate in such incorporated village or city for such purpose; provided, however, that no village or city election shall be held on the same day as a township election is held, in the hall, or place so procured by said town for election purposes.

Sec. 408. Members of town board to be judges—Vacancy—The members of the town board shall be judges in the districts in which they respectively reside, unless all belong to one political party and reside in the same district, in which case not more than two, determined by lot unless otherwise agreed upon, shall act as judges. But no member of such board shall be compelled to serve as judge, and if any decline they shall notify the town board in time to fill the place by appointment. Whenever for any reason it becomes necessary to appoint one or more judges in order to provide three judges for each district, such board, on the first day of registration, shall appoint the number required and cause posted notice thereof to be given in each district at least ten days before the election.

Sec. 409. Judges in cities and villages—The council of every municipality, at least twenty-five days before any election, shall appoint three qualified voters of each district therein to be judges. But in villages having but one district, and not included in any town district, the members of the council shall be judges, subject to the qualifications and restrictions provided for town boards in like cases.

Sec. 410. Clerks, how appointed—Qualifications of judges and clerks—The judges of each district shall appoint two qualified voters therein as clerks, except that in towns the town clerk, and in villages

having but one district, and not included in any town district, the village clerk, shall serve as one of the clerks in the district where he resides. No more than two judges and one clerk shall belong to the same political party, and no person shall be eligible as judge or clerk unless he can read, write, and speak the English language understandingly, nor if he be a candidate for any office.

Sec. 411. Selection of judges from certified party lists—How selected in city of first class not under home rule charter—At least thirty days before an election in any municipality having two or more districts, the local committees of the several parties participating in the preceding election may furnish to the appointing authorities a list of qualified voters, certified by the clerks of the committees, to act as judges in the several districts. Such judges shall be selected for each district from the lists so submitted, as follows: The first from the list of the party polling the largest number of votes in the municipality at the preceding general election, the second from that of the party polling the second largest number of votes, and the third from that of the party polling the third largest number. If the local committee of either of such parties fails to furnish such list, then one judge shall be selected from the party polling the fourth largest number of votes at such preceding election, if a list has been furnished by such party. In case three lists are not submitted, they shall select one from each list submitted and make their own selection of the remainder, except that in no case shall more than two judges be selected from the same political party. The above provisions of this section shall not apply to cities of the first class not operating under a home rule charter, but in all such cities the city council or common council thereof shall appoint judges of election as provided in Section 409 hereof, except that in no case shall more than two judges for any election district be selected from the same political party.—Amdt. Chap. 395, Laws 1913.

Sec. 412. National flag over polling places—Duties of judges—Expense—The governing body of every city, village, and town shall cause the national flag to be displayed on a suitable staff over each voting place therein during all the hours of registration and voting. The cost thereof shall be included in the general election expenses. The judges shall see that the flag is so placed and displayed, and wilful failure on their part so to do shall cause a forfeiture of their compensation for the time of such failure. They shall make a statement as to the number of days the flag was so placed and maintained, and return the same with the election returns.

Sec. 413. Vacancy in office of judge or clerk—When any one of

the judges fails to attend at the time and place appointed for registration or for correcting the registration lists or holding an election, or if either be a candidate at such election or refuses to act, the qualified voters present shall elect viva voce one of their number, of the same political party as the judge originally appointed if only one judge in attendance belongs thereto, but if both belong to the same party then of another party, to act in his place. When any clerk is absent, disqualified, or refuses to act, the judges shall appoint some qualified voter of the same political party to act in his place.

Sec. 414. Oath of officers—Board of registration and election—Before any judge or clerk enters upon the discharge of his duties, he shall subscribe the following oath: "I, A. B., judge of election (or clerk, as the case may be), do solemnly swear that I will perform the duties of judge (or clerk) of election according to law and the best of my ability and will studiously endeavor to prevent fraud, deceit, and abuse in conducting this election, so held me God." Such oath shall be affixed to the list or register provided for by law. If there be no person present authorized to administer oaths, the judges may administer it to each other and to the clerks. Such judges, prior to the opening of the polls, shall constitute a board of registration, and subsequent thereto a board of election.

Sec. 415. Form of registry lists—All registry lists shall be headed substantially as follows: "List of qualified voters in the election district composed of the.....(town, village, ward, or precinct, as the case may be) of.....in the county of ....., state of Minnesota, for an election to be held in such district on the.....day of..... ....., nineteen hundred and.....;" and shall contain the names of voters in separate groups, in alphabetical order according to the first letter of the surnames, each letter of the alphabet to form a group,and not more than one group to be on any one page; and each group shall be separately numbered, commencing with 1.

Sec. 416. Residence of voters, how determined—The board of registration, in determining the residence of any voter, shall be governed by the following rules, so far as they are applicable:

1. The residence of any person shall be held to be in that place in which his habitation is fixed, without any present intention of removing therefrom, and to which, whenever he is absent, he intends to return.

2. A person shall not be considered to have lost his residence who leaves his home to go into another state, or county in this state, for temporary purposes merely.

3. A person shall not be considered to have gained a residence in any county into which he has come for temporary purposes merely, without the intention of making such county his home.

4. If a person go into another state with the intention of making it his residence, he shall be considered to have lost his residence in this state.

5. If a person remove to another state with the intention of remaining there for an indefinite time as a place of residence, he shall be considered to have lost his residence in this state, notwithstanding he intends to return at some future time.

6. The place where a man's family resides shall be considered his residence; but if it be a temporary establishment for his family, or for transient purposes, it shall not be so considered.

7. If a man has his family living in one place and he does business in another, the former shall be considered his residence; but when a man has taken up his abode at any place with the intention of remaining there, and his family refuses to reside with him, then such place shall be considered his residence.

8. The residence of a single man shall be considered to be where he usually sleeps.

9. The mere intention to acquire a new residence, without the fact of removal, shall avail nothing; neither shall the fact of removal without the intention.

10. No person employed temporarily for the purpose of cutting timber, or in the construction or repair of any railroad, canal, municipal, or other work of public nature, shall acquire a residence in any district into which he came for such purpose; but this provision shall not be held to extend to station agents or sectionmen who permanently reside in such district. In determining the right of any person employed by a railroad company or upon any public work to register or vote, all of the judges shall be satisfied that he is a bona fide resident of the district, and not there for temporary purposes merely; and his unsupported affidavit shall not be held conclusive as to any fact necessary to entitle him to vote.

11. Any permanent inmate of a soldiers' home shall be considered a resident of the district in which the same is located.

Sec. 417. Registration in towns, villages, and cities of the fourth class—On Tuesday, seven weeks preceding any general, and at least fourteen days before any special election, the board of registration of each district in towns, villages, and cities of the fourth class shall make duplicate lists of the names of all persons entitles to vote therein at such election, containing the names of such persons in alphabetical

order, and their places of residence. The board shall examine the poll lists used at the preceding general election, and place on the new list the names of all persons whom the board knows, or can with reasonable diligence ascertain, to be entitled to vote in the district at such election, and at least thirty days before a general, and ten days before a special, election, shall cause copies of such list to be posted in three public places in the district.

Sec. 418. Same—Cities of the fourth class—In cities of the fourth class the board shall meet on the Tuesday preceding such election at the place where the same is to be held, and remain in session from 9 o'clock a. m. until 9 o'clock p. m., for the purpose of making corrections in such lists, the time and place of meeting to be noted on the list previously posted. In making such correction the board shall add to such lists the names of all other persons shown to be entitled to vote in that district at such election, and erase therefrom the names of all shown not to be entitled so to vote.

Sec. 419. Oath before registration—Any of the judges may administer the following oath to persons appearing for registration: "You do solemnly swear that you will fully and truly answer such questions as shall be put to you touching your qualifications as a voter under the laws of this state?"

Sec. 420. Board to compare register, sign each page, and make certificate—At the end of each day's registration in all districts in town, villages, and cities of the fourth class, the board shall carefully compare the registers and correct all errors. The judges shall then sign their names at the end of the list on every page, so that no new name can be added without discovery, and also sign and attach to such register a certificate in substance, as follows:

We, the undersigned, judges of election in the..... district of.....of....., in the state of Minnesota, do jointly and severally certify that at the general registration of voters in such election district on the..... day of....., 19....., there were registered by us in such district the names which in this book are inserted and that the number of registered and qualified voters was and is the number ....., of whom.....are males and.....females. (Number to be written in figures and words.)

Sec. 421. Names entered or stricken from lists election day—Any person offering to vote in any such district, whose name is not on the list at the opening of the polls, but who shall satisfy the election board by proper evidence that he is entitled to register and vote, shall be

allowed to vote at such election without taking an oath, unless required to do so by such board. The vote of any person whose name is on the the list at the opening of the polls shall not be rejected except upon satisfactory evidence that such name was registered by mistake and that such person is not entitled to vote, in which case such name shall be stricken from the list and the vote rejected. An entry of such fact shall be made on the list opposite each name so added or stricken off.

Sec. 422. Who shall constitute board of registration—In cities of the first, second and third classes the judges shall constitute boards of registration in their respective districts. In cities of the first class on Tuesday, nine weeks preceding any general state or city election, and in cities of the second and third classes, seven weeks preceding any general state or city election, and fourteen days before any special election the judges shall meet at six o'clock a. m. at the place where the last election was held or in such other place as may be lawfully designated as the polling place for the district and there remain in session until nine o'clock p. m. and register all persons entitled to vote in such districts at the ensuing election. Such registration shall be known as the register of voters and made in duplicate. The board shall have the same right to preserve order at its meetings as judges on election and vacancies shall be filled in the same manner as upon election day. Nothing in this section shall be construed as amending Chapter 148 of the Laws of 1907 (436-437). Amdt. Chap. 2, Laws 1912.

Sec. 423. Registers, how prepared—Headings—Names—Questions—In all districts in such cities, one of the judges shall administer to all persons appearing for registration the following oath: "You do solemnly swear that you will fully and truly answer all questions put to you touching your qualifications as a voter under the laws of this state." The blank forms of registers in cities of the second and third classes shall be prepared by the secretary of state, and shall contain columns under the following headings and subheadings, viz.: "Names," "Voted," "Residence," "Number," "Street or Avenue," "Place of Nativity," "Color," "Length of Residence," "United States—Years," "State—Years, Months," "District—Years, Months, Days," "Date of Naturalization," "Court or place," "Able to Read English," "Where Last Registered—Ward, District," "Voted at Primary," and "Remarks." The board shall enter in such registers the names of all persons residing in its district whose names appear in the poll list and register at the preceding election as having voted in the district, except such as are known to have since died, removed from the district, or become disqualified; and so far as known to any such board, the proper entries shall be made opposite each name in the different col-

umns. In case the boundaries of the district have been changed since the election for which such poll list was made, the board shall place on the registers only the names of the persons appearing by such poll list to be residents of the new district. One of the judges shall then ask each of such persons the questions necessary to properly fill out the spaces opposite his name in the various columns. The clerks, if any, or members of the board shall enter the names of such persons in the registers, and the answers to the questions in appropriate columns therein. In the column headed "Residence," there shall be the name and number of the street, or other location of the dwelling, if there be a definite number; if not, such description of the place of such dwelling as shall enable it to be readily ascertained. If more than one family reside in a house, there shall be entered the floor on which the applicant resides, and the room or rooms occupied by him. The register shall be ruled, and one name shall be written on each line; but no name shall be written between the lines, and, if the name of any person be so written, such person shall not be entitled or allowed to vote unless his name shall also appear properly on a line in such register.

Sec. 424. Same—Cities of the first class—In cities of the first class the registers shall be substantially as provided in section 423, except that in place of the heading, "Where Last Registered—Ward District," the heading shall be "Householder—Boarder—Lodger—Employee." No names shall be registered unless the person appears personally before such board or registers by affidavit.

Sec. 425. Registration in person, and by affidavit of absent voter—In addition to the names already on said poll list, the board shall enter thereon the names of all legal voters who shall personally appear, and also the name of any absent voter whose affidavit shall be presented during any session of such board, in substance as follows:

I,.....being first duly sworn, on oath say that I am a legal voter in the state of Minnesota; that I reside at No....., ...street (or avenue), in the..... election district in the.....ward in the city of..... .....; that I have not been and will not be able to be present in such district to register personally, for the reason that.....; that I desire to be registered in such district; that my full name is.....; I was born at.....; am..... (state color); have resided in the United States for..... years and.....months, and in Minnesota for.....

years and.....months, and in such election district for.....years, ...months, and..... days; that I am able to read English, and by occupation am a..... .....; that at the last general election I resided at No..... street (or avenue), in such city, and was registered and voted at the.....election district of the ..... ward (or that at the last general election I was not a resident of such city, but voted at.....); that at my present residence as above stated I am.....(householder, boarder, lodger, employee, or other proper term); (the following to be omitted if native-born) that I am a naturalized citizen of the United States; that my final papers were issued by the.....(give court and place) on the.....(give date or other particulars),.....

(Signature).....

Sec. 426. When voter removes from one district to another—When it appears from the statement or affidavit of an applicant for registration, or is otherwise known to the board, that such applicant has been registered in another district, a certificate signed by the registration board of such other district, showing that his name has been stricken from the voting list of such district, shall also be presented. Then if he has or will have been a resident of such new district for thirty days next preceding an election, his name shall be entered on the voting list; otherwise not. When the voter removes from one place to another in the same district, the register shall show the change before his vote is received.

Sec. 427. Registers compared, signed, certified, and returned—At the end of the first day's registration in such cities, the board shall carefully compare the registers and correct any errors therein, and one or more of the judges shall sign his name at the end of the list on every page, so that no name can be added without discovery, and all the judges shall also sign and attach to such register a certificate in substance as follows: "We, the undersigned, judges of election in the.....district of.....ward, in the city of.....in the state of Minnesota, do jointly and severally certify that, at the general registration of voters in such district, on the .....day of....., 19...., there were registered by us in such district the names which are inserted in this book, and that the number of registered and qualified voters was and is.....;....." (Number to be written in figures and words.) If any women shall have registered, the certificate shall have added thereto, "of whom.....are men and.....are

women." Before 10 o'clock a. m. on the next day, such registers shall be deposited by one of such board in the office of the city clerk, who shall safely keep the same.

Sec. 428. Second registration in cities of 1st, 2d and 3d class—In cities of the first class on Tuesday, eight weeks preceding any general state or city election, and on Tuesday, seven weeks preceding any general or city election, and in cities of the second and third classes on Tuesday, two weeks preceding any general election and on the thirteenth day preceding any special election, such board shall meet at the same place as before and remain in public session from 6 o'clock a. m. until 9 o'clock p. m. for the purpose of registering qualified voters. It shall obtain from the clerk and use the same registers as on the first day, and observe the same forms.—Amdt. Chap. 2, Laws 1912.

Sec. 429. Comparing, signing, certifying, posting, etc.—At the end of the second day's session the registers shall be compared, corrected, signed, and certified as on the first day, with this addition thereto: "Making the total number registered to date hereof inclusive....., of whom.....are men and..... are women." Before the board adjourns on this day, it shall make a copy of all the names upon such registers, with the addresses as therein indicated, and post the same conspicuously outside the place of registration, with a notice of the time when such board will meet to complete and finally correct such registers; and that the same will be accessible to any voter. The registers shall be returned by one of such board to the office of such clerk before 10 o'clock a. m. on the next day.

Sec. 430. Last registration day in cities of the first, second, and third classes—In cities of the first class on the second Saturday preceding a general election day, and in cities of the second and third class on the Tuesday preceding any general, and on the day one week preceding any special, election, the board shall again meet at the same place for the completion and final correction of said registers. Said board shall obtain the same registers from the clerk and register the names of qualified voters as upon the other days, and for this purpose shall be in session from 6 o'clock a. m. until 9 o'clock p. m. on each day of registration.

Sec. 431. Correction of registers—Posting list—Such board shall erase from the register the name of any person satisfactorily proven, by the oath of two qualified voters of such district, to be disqualified to vote at the ensuing election. At the close of the last registration day the registers shall again be compared, corrected, signed, certified,

and returned as provided for the other days. When the registration has been fully completed, and before the board adjourns or separates it shall prepare a copy of the names and addresses appearing upon such registers, and post the same outside the place of registration, or in such manner as to be plainly discernible and easily read from the outside.

Sec. 432. Who shall be permitted to vote in cities of the first, second and third classes—Only the votes of qualified registered voters shall be received by the judges at any general election in a city of the first, second or third classes, except the vote of a person whose name was erased as provided for in Section 431, who takes the oath and proves his identity by the oath of another as hereinafter prescribed; provided, that in cities of the first class, only the votes of qualified voters who have registered on either of the first two registration days in said city shall be received by the judges at the primary election, but any person who has not registered but who is a qualified voter in the district wherein he resides, shall be entitled to vote at such primary election if he registers on said primary election day and complies with the following provisions, and not otherwise, namely: He shall at the time he offers his ballot deliver to the judges his affidavit in which he shall state that he is a resident of the election district in which he offers to vote, naming the same, and that he is entitled to vote therein; that he has resided in said election district thirty days next preceding said election and shall give street and number of his residence; that he is a citizen of the United States; that he is twenty-one years of age; that he has resided in the state six months immediately preceding said primary election, which said affidavit shall be substantiated by the affidavit of two freeholders, electors in such district, corroborating all the material statements therein. No compensation shall be received for taking or certifying such affidavit. No one freeholder shall be competent to make corroborating affidavits for more than five voters. All such affidavits shall be sworn to before some officer authorized by the laws of this state to administer oaths.—Amdt. Chap. 2, Laws 1913.

Sec. 433. Registration for special elections in cities having 50,000 inhabitants, etc.—It shall not be necessary to make new precincts, to appoint judges, or to make new registration of voters for special elections held for any purpose whatever, in and for cities having more than 50,000 inhabitants, but the registration for the last preceding general election shall be used, the precincts shall be the same as at the last preceding general election, the polling places shall be the same

as near as may be and the judges of election at the last general election in any precinct shall continue to be judges of election for such special election and vacancies of judges may be filled the same as in case of general elections, and such judges shall have the right to take from the city clerk or other legal custodian, and use at such special election, the registers used at said last general election, any name thereon being subject to challenge as at a general election.

Sec. 434. Same—Qualified voter not registered may vote—Oath—If any person whose name does not appear on said register shall ask to vote at said special election his name shall be entered upon such registers upon taking such oath, answering such questions and complying with such other provisions of the Revised Laws, 1905, as are required for registration. After his name is so entered and before he receives the ballot the judges shall administer the following oath: "You do swear that you are a citizen of the United States; that you are twenty-one years of age, and have been a resident of this state for six months immediately preceding this election; that you are a qualified voter in this district; and that you have not voted at this election." Upon taking this oath, if the judges are satisfied he is a qualified voter he shall be allowed to vote. If such person refuse to take this oath he shall not be allowed to vote, and his name shall be removed from the registers.

Sec. 435. Hours of opening and closing polling places—In all cities of every class the polls shall be kept open from 6 o'clock a. m. until 9 o'clock p. m. and in all towns the polls shall be kept open from 9 o'clock a. m. until 9 o'clock p. m. No adjournment or intermission whatever shall be had until the polls are closed, all the votes counted, and the result publicly announced, but this shall not be construed to prevent any temporary recess for taking meals or other necessary purposes, provided the board remains in session and not more than one member thereof is absent at the same time.—Amdt. Chap. 23, Laws 1913.

Sec. 436. Hours for opening and closing polls in villages having more than 800 inhabitants—In all villages of this state, having a population of more than eight hundred (800) inhabitants, the polls may by resolution of the village council passed at least thirty (30) days before such election be kept open at any village election from nine (9) o'clock a. m. until nine (9) o'clock p. m. No adjournment or intermission whatever, shall be taken except as provided in case of general elections.

Sec. 437. Hours for opening and closing polls in certain independent school districts—In all independent school districts in this state containing a population of fifty thousand inhabitants or over, to be

based upon the census last preceding the election, and in which independent school districts elections are held exclusively for school purposes, and separate from, and at different dates from city and state elections, the polls at such school elections shall be opened at six o'clock a. m. on the day of such election, and shall remain open for purposes of voting until seven o'clock p. m. on said day.

Sec. 438. Location of polling places—No election shall be held or appointed to be held in any saloon or bar room, or in any room used or occupied as a place of resort for idlers or disreputable persons, or in any room adjoining either. Nor shall such election be held in any room wherein the requirements of this chapter relative to booths, railings and distances cannot be substantially complied with. Such polling places in all cities shall be upon the ground floor, in a front room, the entrance to which is upon a highway or public street at least forty feet wide and as near to the center of the voting population of the district as is practicable.

Provided, that in cities of less than 20,000 inhabitants polling places conveniently and clearly accessible may be in the second story of buildings complying in all other respects to the provisions of this act.

Provided, that in cities of more than 50,000 inhabitants in which a soldiers' home is located, said cities shall be empowered and authorized to establish a polling place for elections at the soldiers' home therein located.—Amdt. Chap. 27, Laws 1913.

Sec. 439. Judges may change polling place—When any place designated for holding an election is found not to comply with the provisions of this chapter, the judges, on the first day of registration when practicable and in any event on or before the opening of the polls on election day, shall procure a suitable place, as near the designated place as may be, which is not subject to such objection.

Sec. 440. Notice of change of polling place—When a change of the place of registration or election has been determined upon, the judges shall meet at the place first designated, and, after filling any vacancies in the number, adjourn to the new place selected, first publicly announcing the change to the electors present, and posting in a conspicuous place at said first designated place a notice of the change made by them. They shall also post a similar notice at the new registration or voting place, and, if deemed necessary by any of such judges, they shall post additional notices of said change in three public places in the district. They shall certify to the proper authorities the expenses attending such change, which shall be allowed and paid as part of the election expenses.

Sec. 441. Arrangement of polling places—Each polling place shall be provided with one white, one pink, one blue, and one red ballot box, and, where women are entitled to vote, a separate box for ballots cast by them. As many of these boxes shall be used at any election as there are kinds of ballots to be voted. Each box shall be of sufficient size, and with a sufficient aperture, to receive and contain all the ballots likely to be placed therein. Each polling place shall consist of a single room, containing at least two booths for every one hundred voters registered. Each booth shall be six feet high, three feet deep, and at least two feet wide, with a shelf, at least one foot wide, extending from side to side at a convenient height for writing, and be provided with a door or curtain so that the voter may be free from observation while marking his ballot. It shall at all times when in use be provided with cards of instruction, an indelible pencil, and other supplies needful in marking the ballots. A guard rail shall be so placed that only persons who are inside thereof can approach within six feet of the ballot boxes or the booths, but the boxes, booths, judges, and clerks shall be in open public view. Such guard rail shall be so constructed as to provide a separate entrance and exit for voters.

Sec. 442. Order at polls—Special officers—The peace officer shall keep order and quiet at the polling places. During the voting hours no persons other than those receiving, marking and depositing ballots shall be permitted to approach within six feet of the booths, unless by consent of the judges, given by authority of law. Special peace officers may be appointed by the judges when necessary. Any person guilty of riotous or disorderly conduct shall be arrested, upon refusal to desist when warned. No peace officer shall remain in the voting room unless so ordered by the judges, nor interfere in any manner with the voters.

Sec. 443. Procuring registers, ballots, boxes, etc.—Before 3 o'clock p. m. on the day preceding any election, the judges shall procure the registers provided for in this chapter from their legal custodian, one being procured by a judge representing one of the two leading political parties, and the other by one representing another leading party. The custodian of the ballot boxes and ballots shall deliver the same to the judges of the respective districts, together with their keys, the poll-books, stationery, and material required at such election. The judges shall be responsible for the safe-keeping of said registers and ballots unaltered, and shall have all such ballots, boxes, registers, poll-books, printed instructions, and materials at the polling places in their respective districts at the opening of the polls on the day of

election. Except in cities of the fourth class and over and election districts within fifteen miles of the county seat, the county auditor shall at least one week before the election send such ballots by registered mail or express to the proper board of such election districts.

Sec. 444. Proceeding on failure of judges to obtain register and ballots—In case neither of the judges appears at the office of the custodian of the ballots, as provided in section 443, he shall forthwith send to the proper district the ballots therefor, securely wrapped, tied, and sealed, by special messenger, who shall forthwith deliver the same to such judges, or one of them; or if unable to do so, he shall deliver them at the polling place at the hour for opening the polls. He shall take a receipt for such ballots and promptly file the same with such custodian, together with his affidavit stating when, where, and to whom he made such delivery. Such judges, and each of them, shall be chargeable with all expense incident to such delivery and report, together with mileage, the same as allowed to sheriffs for serving process,but nothing herein shall relieve any such judge from the penalty provided by law for neglect of duty.

Sec. 445. Ballots not delivered—Additional or substitute ballots—If the ballots are not delivered, or are stolen or destroyed, and sufficient regular ballots cannot seasonably be had, the county auditor or other proper official shall cause other ballots to be immediately prepared as nearly in the form prescribed as practicable, with the word "Substitute" printed in brackets immediately over the words "Official Ballot," as indorsed on regular ballots, and, when practicable, with the facsimile signature of the officer preparing the same, accompanied by his affidavit that the same have been so prepared and furnished by him, and that the original ballots have not been received, or have been destroyed or stolen, as the case may be. The judges shall cause such substituted ballots to be used at the election.

Sec. 446. Proceeding when there are no official or substitute ballots—When no official or substitute ballots are ready for distribution at any polling place, or if the supply be exhausted before the polls are closed, unofficial ballots, printed or written as nearly as practicable in the form of the official ballots, or of any ticket or tickets forming a part or parts thereof, may be used until substitutes prepared by the proper official can be printed and delivered; and the fact shall be certified and accompany the returns of election.

Sec. 447. Proceedings preliminary to opening polling places—Immediately before opening the polls, one of the judges shall open the ballot boxes in the presence of the people there assembled, turn them

upside down so as to empty them of everything that is in them, then lock them and deliver the key to another of the judges. The judges shall thereupon proclaim that the polls are open, and cause written or printed notices of the hour of closing them to be conspicuously posted outside the polling place. Such boxes shall not be reopened until opened for the purpose of counting the ballots therein at the close of the polls.

Sec. 448. Challengers allowed in the room—Substitutes—The judges shall allow one voter of each political party casting one per cent of the entire vote at the preceding election in that district, selected by said parties respectively, and having a certificate in writing from the chairman of an authorized committee of the party he represents, to be in the room where the election is held, to act as challenger of voters; and such challengers may remain with the board until the votes are canvassed and the result declared. In case of the temporary absence of any challenger for meals or by reason of sickness, he may substitute some other person of like political belief, who shall be identified by an affidavit of such challenger or substitute.

Sec. 449. Gatekeeper—The judges may authorize a peace officer to act as gatekeeper, who shall direct voters how to pass to and from the booth, and no person shall interfere with him in any manner while in the discharge of his duty. Such gatekeeper shall not aid, assist, suggest, advise, or entreat any elector to prepare his ballot in a particular manner.

Sec. 450. Proceedings on disability of clerk while on duty—When any clerk, after entering upon the discharge of his duties, becomes unable, or for any reason fails, to complete the performance of his duties, the judges may appoint another in his place, who shall take the required oath. The fact of his appointment, the time when and circumstances under which it was made, shall be noted in the poll-books, if the polls have not been closed, and, if closed, all of the same shall be certified with the returns; and such statement shall show the work done and to be done at the time of such appointment.

Sec. 451. Initials on ballots—Before the voting begins, or as soon thereafter as possible, two judges of opposite political parties shall place their initials on the backs of all the ballots they have, immediately under or opposite the facsimile of the signature of the officer under whose direction the ballots were printed, and shall not otherwise mark the same.

Sec. 452. Ballots, distribution and indorsement—Ballot boxes in view—No official ballot shall be distributed except in the voting room to voters about to vote, and no ballot which is not officially indorsed

in the handwriting of such judges shall be placed in the box. The ballot boxes shall at all times be kept in public view.

Sec. 453. Who allowed in voting rooms—No person shall be allowed to go or remain inside the railing at the voting place except members of the board, clerks, peace officers, and one member of each of the political parties represented on the ballot, and voters who are about to vote, unless it be a voter who is called upon to assist another voter who cannot read English or is physically disabled, in marking his ballot, as herein provided.

Sec. 454. Number of voters admitted—Time for preparing ballot—The number of voters within the rail shall in no case exceed the number of booths by more than three. The judges may make such regulations as they deem proper as to the time which a voter may remain in the polling room while receiving, preparing, and voting his ballot, which time shall not be less than three nor more than ten minutes, unless the delay is occasioned by his vote being challenged, or is the fault of the board, or some of them.

Sec. 455. Crowds not permitted in vicinity of voting places—All voters shall be allowed to go to the polling room for the purpose of voting, and to return therefrom, without molestation, but neither voters nor others shall be allowed to congregate in any number within one hundred feet of any polling room. In cities of the first, second, and third classes, only election officers and voters who are ready, but have not voted, shall be permitted to stand within fifty feet of the entrance to a polling place.

Sec. 456. One judge to have charge of ballots, and two of registers—One of the judges shall have charge of and hand to and receive from each voter the ballots. The other two shall have charge of the two registers, each using one as herein provided.

Sec. 457. Challenge—Oath—Questions and other proceedings—Before any person offering to vote receives the ballots from the judges, each judge shall, and any authorized challenger or other voter may, challenge such person whom he knows or suspects not to be a qualified voter. The challenger shall state the ground thereof, whereupon a judge shall administer to the challenged person the following oath: "You do solemnly swear that you will fully and truly answer all such questions as shall be put to you touching your qualifications as a voter at this election?" The judges shall then question the challenged party in such manner as will tend to disclose the particular facts in reference to which the challenge is made. He may be inquired of as to his name, age, then place of residence, length of time he has resided in the town, city, ward, or district; where his

last place of residence was; as to his citizenship, whether he is a native or naturalized citizen, and, if the latter, when, where, in what court, and before whom, he was naturalized; whether he came into the town, city, or ward for the purpose of voting at that election; how long he intends to remain a resident of such town, city, or ward; and such other questions as tend to test his residence and his right to vote. If he refuses to answer the questions put to him, his name shall not be put upon the poll lists, nor shall he be allowed to vote, unless he at once reconsiders and answers the questions. He shall not be allowed to vote if he leaves the polling place and afterward returns, although then ready to answer the questions.

Sec. 458. Further examination of challenged person—After the questions specified in section 457 have been answered, if the challenge is not withdrawn, the judges shall administer the following oath: "You do swear that you are a citizen of the United States; that you are twenty-one years of age, and have been a resident of this state for six months immediately preceding this election, and an actual resident of this election district for thirty days immediately preceding this election; that you are a qualified voter in this district; and that you have not voted at this election?" Upon taking this oath he shall be allowed to vote, except when it appears that his name has been registered and erased; then he shall not be allowed to vote unless he also produces a person known to a majority of the judges, who makes and subscribes an oath in their presence as to the identity of the person so offering to vote, after which he shall be allowed to vote. If such person refuses to take the oath specified in this section or section 457, or, when so required, refuses to produce the person to swear to his identity and residence, as herein provided, then hi name shall not be put upon the poll list, nor shall he be allowed to vote.

Sec. 459. Voter receiving ballot to retire to booth alone—When the judges are satisfied that the person applying therefor is a voter, th judge having charge of the ballots shall tear from the blocks one ballot of each kind that is to be voted, having the proper initials thereon, and hand the same to the voter, who shall retire alone to one of the booths and there prepare such ballot or ballots. Voters may be allowed to carry with them to the booths sample ballots to assist them in marking the official ballots, but the same shall not be printed on white, pink, blue, or red paper; and it shall be a misdemeanor to print or distribute sample ballots printed upon such paper. Sample ballots may be printed in newspapers as matter of news.

Sec. 460. Marking ballots—Rules—The voter shall mark each of such ballots with the indelible pencil furnished. If he soils or defaces either of them, he shall at once return the same and get other ballots as hereinafter provided. In marking ballots, the following rules shall be observed:

1. When presidential electors are to be voted for, the voter shall place a mark (X) in the square opposite the group of candidates of the party of his choice.

2. In all other cases he shall place a like mark (X) in the square opposite the printed name of each candidate for whom he desires to vote, and only those so marked shall be counted.

3. When he so desires, he may write other names in the blank spaces under the printed names of the candidates, and the names so written shall be counted as balloted for, whether marked in the small square or not.

4. When he has prepared his ballots, he shall so fold it, concealing its face and all marks thereon, as to expose only the indorsement and the facsimile signature and initials of the judges on the back thereof.

5. He shall mark and fold separately each ballot, and at once withdraw from the voting booth.

Sec. 461. Further proceedings in balloting—Challenge—The voter having prepared his ballots, shall hand the same to the judge in charge of the ballot boxes, who, without opening or permitting them to be opened or examined, shall deposit the same in the proper boxes, first announcing the name and residence of the voter in an audible voice; and the judges in charge of the registers shall mark "Voted," or the letter "V," in a column therein prepared, in the same line with the voter's name. At any time before such ballots or either of them have been deposited in the boxes, he shall be subject to challenge by either of the judges, or by any person who was not present at the time he procured such ballots; but no party challenger or other person, except a judge, who was present when the ballot was delivered and had knowledge thereof shall afterwards interpose a challenge. When so challenged the same proceedings shall be had as hereinbefore provided; and, if the person offering to vote is found disqualified, said ballots so prepared by him shall be placed among the spoiled ballots, and not opened. When no challenge is interposed, the voter shall, after voting, at once retire from the voting rooms; and, when challenged, he shall retire as soon as the challenge is determined, and shall not again return unless by permission of all the judges.

Sec. 462. Proceedings when elector spoils ballots—When a voter

spoils a ballot, he may return it and receive another. When he spoils a second ballot, before receiving another he shall state under oath whether or not he can read English. When he claims to be able to read English, a third, and if necessary, a fourth, ballot shall be delivered to him; but no ballot shall be so delivered until the ballot previously delivered has been returned, nor shall more than four ballots of any one color be delivered to any one voter. When such voter, after spoiling two ballots, shall state under oath that he cannot read English, proceedings shall be had as provided in section 463. All spoiled and unused ballots shall be preserved by the board and returned to the officer from whom they were received who shall preserve them until ten days after the county official canvass.

Sec. 463. Proceedings when voter cannot read English, or is physically unable to mark ballot—When any voter states under oath that he cannot read English, or that he is physically unable to mark his ballot, he may call to his aid one or more of the judges, who shall mark his ballot as he may desire, and in as secret a manner as circumstances permit. When he also states that he cannot speak the English language or understand it when spoken, the judges may select two persons from different political parties to act as interpreters, who shall take an oath similar to that taken by the judges, and assist such person in marking his ballots. When he shall prefer, he may call to his aid any voter of the same district, who, unaccompanied by a judge, may retire with him to one of the booths and mark the ballot for him; but no person shall mark the ballots of more than three such voters at one election. Before depositing his ballot such voter shall show it privately to either a judge or a clerk to ascertain that it is marked as directed; but a physically disabled voter, who is able to determine for himself, need not show his ballot. No judge or other person so assisting a voter shall in any manner request, presuade, or induce, or attempt to persuade such voter to vote for any particular party or candidate, but shall mark the ballot as requested, and shall not reveal to any other person the name of any candidate for whom the voter has voted, or anything that took place while so assisting him.

Sec. 464. Proceedings when voter is physically disabled—When the judges are informed that a voter is at the door who is unable to enter the polling place without assistance, they may appoint one of their number to take an official ballot or ballots to him and assist in marking the same, when requested, in the presence of some one selected by such voter. When the ballot or ballots have been marked and folded, the same shall be handed to the judge in charge of the ballot boxes, who shall announce: "Ballot (or ballots) offered by (name), a

person unable to enter the voting place by reason of physical disability; does any one object to the reception of this ballot?" If no one objects, the ballot or ballots shall be deposited; but if objection be made, it shall be treated as the interposition of a challenge, and proceedings shall be had as in case of challenges.

Sec. 465. Voter not to disclose how he has voted—No voter shall divulge to any one within the polling place the name of any candidate for whom he intends to vote or has voted, nor shall he ask for or receive assistance from any one within the polling place in the preparation of his ballot, except as hereinbefore provided. When any voter, after having marked his ballot, shows it to any one except as hereinbefore provided, the judges shall refuse to receive such ballot, but shall place it among the spoiled ballots, and, when such showing has clearly been intentional, no other ballot shall be delivered to such voter.

Sec. 466. Intoxication—Intoxication shall not be regarded as a physical disablilty, and no intoxicated person shall be entitled to assistance in marking his ballot. No voter shall be permitted to vote while grossly intoxicated.

Sec. 467. Voter to give residence, etc.—Every voter, at the time of applying for or offering his ballot, shall truly state the name of the street in which he resides, and if the house where he resides is numbered, the number thereof, and, if required, whether he is the householder or a lodger or employee therein, and such other matters as are necessary for identification. On refusal to make such statement, his ballot, if he has received any, shall be placed among the spoiled ballots, and he shall not be allowed to vote.

Sec. 468. Voting in precinct other than that of residence—Certificate—Any resident legal voter of the state of Minnesota may cast his vote for presidential electors, or for any officer of the state of Minnesota who is to be voted for by the voters throughout the state as a whole, or upon any proposed constitutional amendment submitted to the voters of the state by depositing his ballot in any election district of the state of Minnesota where he may happen to be upon the day when such election is held upon compliance with the following conditions:

Any such voter desirous of excerising such privilege shall on any of the registration days prior to any general election and held in connection therewith apply in person or by agent duly authorized by him in writing to the judges of election in the election district in which he is a legal voter and upon satisfying said judges of election that he is in fact a legal voter in their election district, be furnished on demand a certificate which shall be substantially in the following form:

.....Minnesota, ... 19...

This certifies that the bearer.....is a resident and legal voter in election district.....of the county of.....Minnesota at the date of the issuance of this certificate.

.....

.....

.....

Judges of Election.

Sec. 469. Same—Identification of voter—Ballot, how disposed of—Upon presentation of such certificate by such voter to the judges of election in any election district upon election day and upon being identified as the rightful holder of such certificate by two qualified resident voters, and upon satisfying said judges of the genuineness of such certificate he shall be given the ballot or ballots to be voted for the officers and upon the questions enumerated in Section 1 (468), and he shall mark the same as any resident voter may and fold the same and hand it to the judges; but such ballot shall not be deposited in the ballot box, but shall, together with the certificate hereinbefore provided for, be securely sealed in an envelope upon the back of which one of the judges shall write "The ballot of....., a legal voter in election district.....the county of....., Minnesota" which shall be signed by the judges.

Sec. 470. Same—Duties of election judge, county auditor and canvassing board—All such envelopes shall, by the judges of election, forthwith be sent by registered mail to the county auditor of the county where such voter is a resident, and the auditor shall preserve them unopened until the meeting of the county canvassing board, at which time all such envelopes shall be opened by the canvassing board, and the votes therein shall be entered on the tally sheets of the election district in which the voter is entitled to vote, and the canvassing board shall add such votes to the totals on such tally sheets in arriving at the total result in such election district.

Sec. 471. Same—Record of certificates—Voting in home precinct—A record of the issuance of such certificates shall be kept by the judges of each election district issuing the same by a notation on the poll list opposite the name of such voter to the effect that such certificate has been issued to him and such voter shall not be allowed to vote in such precinct at that election unless upon a return of said certificate to said judges when said notation may be erased and his vote accepted.

Sec. 472. Absence of employee to vote—Every employee entitled to vote at a general or city election shall be permitted to absent himself from his work for that purpose during the forenoon of each election day, without a penalty or deduction from salary or wages on account of such absence.

Sec. 473. Removal of ballots from blocks—Unused ballots—No judge shall remove any of the ballots from the block except separately as required by voters for voting. The judges shall preserve unused and spoiled ballots and return them to the officers from whom they were received, with a statement of the number used, and take receipts therefor.

Sec. 474. Clerks to keep poll lists—Form—Every clerk shall make a poll list containing one column headed "Number," one headed "Residence," one headed "Names of Voters," and as many additional columns as there are boxes used, headed to correspond with the color, and one headed "Remarks." He shall enter therein the name of each voter in the column headed "Names of Voters," his residence in column headed "Residence," and, where more than one box is used, he shall write opposite such name the figure "1" in each remaining column corresponding in heading with the name of each box in which his vote is deposited. In the column headed "Number" he shall write consecutively the numbers of the persons voting, the first vote being numbered 1. He shall enter in the column headed "Remarks" and opposite the name of each person not registered, the words "Not registered," and, if any vote is sworn in, he shall there note that fact. He shall also enter in the same column, on a line with the name of any person receiving assistance, a brief statement of that fact, such as "Marked by judge," "Marked at door," "Marked by.....," giving the name of any person, other than a judge, so assisting.

Sec. 475. Notice of closing polls—Persons present not excluded—Time—The judges shall make oral proclamation at the door of each polling place thirty minutes before the hour fixed by law for closing the polls, in substantially the following words: "Hear ye! hear ye! hear ye! the polls will be closed in thirty minutes." When the hour for closing has arrived, the polls shall be closed, regardless of the fact that voters are outside who have not voted. But all voters who have received ballots, or are then inside the polling place preparatory to receiving them, and none others, shall be allowed to vote. On or before the opening of the polls the judges shall agree upon some standard of time to be used in opening and closing the polls.

Sec. 476. Statements attached to poll lists and to register—Every poll list shall be headed by the designation of the district, and the elec-

tion at which it is used, and, as soon as the polls are finally closed the judges shall attach thereto a statement substantially as follows: "The number of persons whose names appear above and who were present and voted at the above named election was..... of whom.....were women; the number of white ballots cast was.....; the number of pink ballots cast was.....; the number of blue ballots cast was .....; the number of red ballots cast was.....; and the number of ballots cast by women (such ballots not being included in the numbers above given) was....." The blanks in such form shall be filled by the proper numbers, written in words and figures, the figures in parentheses. Such statement shall be signed by each judge and attested by each clerk; and immediately thereafter they shall prepare, sign and attest a statement at the end of each of the registers, substantially as follows: "The whole number of the above named persons who were present and voted at the above named election was....."(in words and figures).

Sec 477. Canvass—Ballots handled by judges only—The judges shall then proceed to canvass the votes cast at such election. Such canvass shall be public and continued without intermission (except as provided in section 435) until completed and the result declared. During such canvass no person other than the judges shall handle or interfere with the ballots.

Sec. 478. Boxes opened, in what order—Preliminary returns—The ballot boxes shall be opened, the votes counted, and the results declared, one box at a time, as follows: First, the white box; second, the pink; third, the blue; and fourth, the red. Then the box provided for women shall be opened and the votes canvassed. The returns shall not be prepared until the votes in all the boxes have been counted, so as to allow corrections in case any errors have occurred by reason of the deposit of ballots in wrong boxes. But in any city of the first class the council may require the judges to insert, on forms prepared by the city clerk, a preliminary statement of any class of ballots cast, as soon as the count of that class has been completed. Such statement shall be signed by one or more of the judges, and delivered forthwith to a special messenger designated by such city clerk, who shall take the same to him at once; but such statement shall not be deemed an official return.

Sec. 479. Canvass of votes, first proceedings—The judges shall begin the canvass by taking from the box the ballots, unopened except so far as necessary to ascertain whether every ballot is single,

and counting them to determine whether their number corresponds with the number appearing on the poll list to have been cast in such box. Whenever two or more ballots are found so folded together as to appear like a single ballot, they shall lay them aside until the ballots in all the boxes have been counted. If, on comparing such ballots with the number of the same class appearing by the poll lists to have been cast, it is evident that the ballots so folded together are cast by one voter, they shall preserve but not count them. Whenever there is an excess of ballots in any box, they shall examine them and ascertain whether all are properly marked with the initials of the judges, and, if any are not so marked, they shall preserve but not count them. When there is still an excess, they shall replace them in the box, and one judge, without looking, shall draw from the box a number of ballots equal to such excess, which shall be preserved, but not counted.

Sec. 480. Ballots not in proper box, when counted—Whenever the number of ballots in any box equals or exceeds the number shown by the poll lists to have been cast in such box, no ballots proper to have been deposited therein, but found in another box, shall be counted; but whenever the number is less than that shown by the poll lists, and ballots properly belonging in such box are found in another box, they shall be counted the same as those in the proper box; but if counting such ballots produces an excess of votes above the number shown by the poll lists, then the number shall be reduced by drawing therefrom as provided in section 479.

Sec. 481. Excess of ballots, how disposed of—Certificate—Whenever any ballots not belonging among those being canvassed from any box shall be found, the same shall be laid aside until the canvass of the class of ballots to which they belong. If there be a deficiency in the number of ballots of such class in the proper box, the ballots so found in the wrong box, to the extent of such deficiency (selected by lot when necessary), shall be included and counted with the class of ballots to which they belong. When the number of ballots as finally counted agrees with the poll lists, those not counted shall be attached to a certificate made by the judges, stating why such ballots were not counted, which certificate and uncounted ballots shall be sealed up in a separate envelope and returned with the other returns to the officer from whom they were received.

Sec. 482. Method of counting ballots—The judges shall then count the ballots separately, numbering them consecutively in a uniform place without defacement, and ascertain the number cast for each person. The clerks shall carefully enter an account of each

ballot counted, on tally sheets or books as hereinafter provided, and when all the ballots have been counted, and from time to time previously thereto when so required by the judges, they shall compare such tallies and correct the same when they differ. Such comparison shall be made on each tally sheet, or sheet of the tally book, before beginning on another sheet.

Sec. 483. Tally sheets for white ballots—Two tally books, or two sets of tally sheets, shall be furnished for each election district by the official charged with the printing of the ballots, at the time and in the manner the ballots are furnished. Each tally sheet, or the first sheet of each tally book furnished for white ballots, shall be headed, "Tally sheet for white ballots, ...election district, ...November, 19....," directly under which and extending across the sheet from side to side, shall be two heavy red lines one-half inch apart. At the left side of each sheet, in a column of suitable width, commencing just below said red lines, there shall be printed in plain type the titles of the several offices to be filled and the name of each candidate for the same, and as many blank lines as appear on the printed ballot, the whole being as nearly as may be in the same order as on the official ballot, omitting the squares for marking.

Sec. 484. Same—Ruling of tally sheet—General description—Under each set or group of candidates for any one office, and the requisite number of blank lines, there shall be a heavy red line extending across the sheet, and another such line across the bottom. Heavy red lines shall also be ruled from the red line nearest to the top to the red line at the bottom of each sheet, as follows: Three lines so as to form two spaces, each three-eighths of an inch wide, the first close to the column of names hereinbefore specified; then lines so as to form ten spaces, each five-eighths of an inch wide, followed by one space three-eighths of an inch wide, and as many additional sets of lines as may be convenient; each set to form ten spaces, each five-eighths of an inch wide, followed by one space three-eighths of an inch wide.

Sec. 485. Same—Further description—Under the name of each candidate or blank line, except where a red line is herein provided, a light blue line shall be ruled across the sheet, and in each space five-eighths of an inch wide, extending from the second line from the top to bottom line, four light blue lines shall be ruled, in such manner as to divide each such space into five smaller spaces, each one-eighth of an inch wide. Immediately below the upper red line across the sheet, in the first space three-eighths of an inch wide, the words

"brought forward" shall be printed and in the similar space on the extreme right the words "carried forward." In each other space three-eighths of an inch wide the word "Number" or "No." shall be printed. And over the column of names the words "Officers and Candidates" shall be printed.

Sec. 486. Same—Numbering tallies, etc.—White and pink ballots—On the same line, in the spaces five-eighths of an inch wide, shall be printed in figures, commencing on the left, "5," "10," "15," and so on in multiples of five. In each column headed "Number" or "No." shall be printed in figures, in numerical order, "1," "2," "3," and so on, the figure "1" being placed in line with and opposite the name of the candidate nearest the top, and the figure "2" opposite the name of the next candidate, and in like manner down the column, each column headed "Number" to be counterpart of every other column so headed. A similar tally sheet shall be provided for the pink ballots.

Sec. 487. Tally sheets for blue and red ballots—The form of tally sheets furnished by county auditors shall be the same as those furnished by the secretary of state, except that the word "blue" shall be substituted for the word "white" or "pink" in the heading; and those furnished by the officials charged with the printing of the red ballots shall be the same, except the word "red" shall be substituted for the word "white" in said heading, and the names of candidates may be printed or written, or partly printed and partly written.

Sec. 488. Same—Number supplied—Deficiency—Such tally sheets may be printed separately and numbered consecutively, or stitched together, but in either case a sufficient number shall be furnished for the proper tallying of all votes cast. When proper tally sheets have not been received by any board and cannot be readily obtained, the clerks shall prepare them in conformity with those hereinbefore described, in which case they shall certify that they were so prepared and used because the official tally sheets were not received.

Sec. 489. Canvassing and counting votes—When canvassing the votes a memorandum shall be kept containing the name of the reading judge, the number of ballots read by him, the name of the judge watching such reading, and the name of the judge stringing the ballots and watching the clerks; and when the judges change places, or clerks are relieved, temporarily or otherwise, that shall be noted. Such memorandum shall be certified in duplicate, and a copy thereof attached to each set of tally sheets. When the reading judge announces the name of a candidate and the office voted for, each clerk shall make a small mark, like the figure "1," in the small unoccupied space nearest such

name, and on a line therewith, and one clerk at the time of making such mark shall say, "one," "two," "three," "four," or "five," as the blank space is first, second, third, fourth or fifth in any space five-eighths of an inch wide and formed by red lines. When such space is the proper one, the other clerk shall enter the same; when not, he shall so state, and the marks shall be corrected so as to agree. As the other names are read, the proper marks shall be made on each of the tally sheets until a line on which is the name of any one candidate shall contain no more unoccupied small spaces. Then, the sheets having been compared, a mark in red ink shall be made thereon in such manner that no additional tallies can be made therein without detection.

Sec. 490. Same—In the vacant space under the heading "carried forward," the total vote, so far as counted for each candidate, shall be entered in figures opposite their respective names, and the same figures shall be entered under the heading "brought forward," on the next sheet, opposite the names. The clerks shall proceed in the same manner with the second sheet, including under the heading "carried forward" the number entered under "brought forward." They shall use the sheets in the order in which they are numbered until all votes have been counted. Then, having made a mark to prevent other tallies, they shall place after the same, in both words and figures, the total vote received by each candidate; but this entry shall not be made until it has been determined that there are no ballots in other boxes to be counted here. No person except the clerks shall make any entry upon the tally sheets, and every person so doing and every judge or clerk permitting it to be done shall be guilty of a misdemeanor.

Sec. 491. Rules for counting marks on ballots—All ballots shall be counted for the persons for whom they were intended, so far as such intent can be clearly ascertained from the ballots themselves, and, in determining such intent, the following rules shall be observed:

1. When a voter has placed a mark (X) against two or more names for the same office, where only one is to be elected, his vote shall not be counted for either candidate.

2. When a voter has written the name of a person in the proper place, his vote shall be counted for such person, whether he makes a mark (X) opposite thereto or not.

3. When a mark (X) is made out of its proper place, but on or so near a name or space as to indicate clearly that the voter intended to mark such name, the vote shall be counted as so intended.

4. When a number of persons are to be elected to the same office, all cross marks in squares opposite names, not exceeding the whole

number to be elected, including written names thereon, shall be counted. When less than the number to be elected are marked, only those so marked shall be counted.

5. The judge shall disregard misspelling or abbreviations of the names of candidates, it if can be clearly ascertained from the ballot for whom it was intended.

6. When the judges can determine from a ballot the voter's choice for a part only of the officers, the ballot shall be counted for such part only.

7. When a voter uses uniformly a mark other than (X) in marking his ballot, clearly indicating his intent to mark against a name, and does not use (X) anywhere else on the ballot, his vote shall be counted for each candidate so marked.

8. When a ballot shows that marks have been made against the names of two candidates, and an attempt made to erase one of such marks, it shall be counted for the candidate for whom it was evidently intended.

9. All ballots marked as hereinbefore provided shall be counted for the candidates or measures therein shown to be voted for.

Sec. 492. Defective ballots—Annoucement of vote—A ballot so defective in whole or in part that it cannot be counted by reason of inability of the judges to determine the intent of the voter shall be marked on the back "Defective," or "Defective as to ....," naming the office as to which it is defective. Such ballots shall be strung in regular order with those not defective. A memorandum of the number of such ballots, and, if defective in part only, of the defective parts not counted, shall be made, certified, and returned by the judges with their other returns. Thereupon the ballots shall be strung in the order they are read and canvassed, the string tied and sealed, and the ballots replaced in the proper boxes. When the correct result has been ascertained, one of the canvassing judges shall publicly announce to those present the number of votes cast for each candidate.

Sec. 493. Ballot judges and clerks—Appointment—For general elections, in cities of the first, second, and third classes one additional judge and two additional clerks, to be known as ballot judge and clerks, shall be appointed in each district, and vacancies in their number filled in the same manner as in case of other judges and clerks. Not more than two of the four judges, nor more than two of the four clerks, shall belong to the same political party. Such ballot judge and clerks shall render no service prior to the election or after the canvass, except as expressly provided by law. In cities of the fourth class, and in villages and towns, such ballot judge and clerks shall be appointed when-

ever the governing body thereof, at least thirty days prior to the election, shall so order. Such system, when adopted, shall be uniform in all the districts, and shall be continued until otherwise ordered by the governing body.

Sec. 494. Same—Duties—Such ballot judge shall be in attendance at the opening of the polls, and serve until the votes are counted. He shall receive the ballots from the regular judges, and, in their issue to voters, act in place and perform the duties of the regular judge in charge of the ballots. Such judge and one of the regular judges, not a member of the same political party, shall place their initials on the back of the ballots, instead of two regular judges. When a challenge is interposed, it shall be referred to the regular election board, and no ballots shall be issued until the same has been determined. The ballot judge shall also have charge of the door, and see that voters retire promptly to the booths, and that the gatekeeper performs his duty. The ballot clerks shall not act during the election, but be present at the hour of closing the polls, and assist in counting the ballots and making the returns, as provided by law.

Sec. 495. Same—Number slips and receipts for ballots—When so directed by the regular election board, the ballot judge shall deliver to the elector with his ballots a card or paper containing the first letter of such voter's surname, and his number on the register, which he shall hand with his ballots to the judge in charge of the ballot boxes, who, in addition to his other announcements, shall state such number, as an aid to the other judges in finding his name on their register; and the judge in charge of the ballot boxes, after an elector has voted, may give him a statement to be delivered to the ballot judge, showing that his ballots have been properly used.

Sec. 496. Statement of vote cast—After the polls have been closed, the ballot judge shall attach to the register, at the end thereof, a statement in substance as follows: "The whole number of the above-named persons who were present and received ballots for the purpose of voting was..... The number of persons returning spoiled ballots and receiving others was..... the spoiled ballots being: White ballots,.....; pink ballots,.....; blue ballots,.....; red ballots,.....; total,....." The blanks shall be filled by both words and figures. Such statement shall be certified by the ballot judge and attested by the ballot clerks.

Sec. 497. Ballots, by whom canvassed and counted—The ballot judge and one of the regular judges, not of the same political party, and the ballot clerks, shall canvass and count the white and pink

ballots and make out the returns therefor, and the other judges and clerks the blue ballots. When there is a red box, unless special judges and clerks have been appointed for that purpose, the ballots therein shall be canvassed and counted, and the returns made out by the canvassers first completing their other work; or the canvassers may relieve one another, as they see fit. But in every case the memoranda provided for in this chapter shall be kept, the canvassing and counting done, and the returns made, the same as where no ballot judge or clerks are appointed; and all the judges and clerks shall sign the returns. Each political party shall be entitled to one watcher for each set of canvassers.

Sec. 498. Special judges and clerks—Appointment—Duties—In every city in which the charter election shall be held on the same day as the general election, at least thirty days prior thereto, in addition to the other officers provided for in this chapter, there shall be two special judges and two special clerks who shall be appointed in the same manner as regular judges and clerks are appointed, and subject to the same provisions as to filling vacancies. Such judges and clerks shall not act during the election, but be present at the hour for closing the polls, and canvass and count the red ballots only.

Sec. 499. Special and ballot judges and clerks—Qualifications—Pay—Ballot judges and clerks and special judges and clerks shall have the same qualifications and receive the same compensation for like services as regular judges and clerks, and be subject to like penalties. They shall deliver all returns made by them, and all election supplies, to the regular election board, and such board shall thenceforth proceed in all things as though no additional judges or clerks had been appointed. No such additional judges or clerks shall be employed at any except a general election.

Sec. 500. Disposal of ballots after canvass—As soon as practicable after the canvass has been completed before the board separates or adjourns and in the presence of all the judges, the ballots shall be removed from the boxes and placed in envelopes of the same color as the ballots and of a size to hold the ballots of each box without folding. Envelopes suitable for this purpose shall be furnished by the county auditor to each election precinct. After the ballots are in place, the envelopes shall be carefully sealed and each election judge shall write his name upon the envelope over the sealed part in such a way that the envelope cannot be opened without disturbing the continuity of the lines in the writing. The number of ballots in each envelope and name of the election precinct shall also be plainly written upon the envelope.—Amdt. Chap. 256, Laws 1911.

Sec. 501. Return of ballots to county auditor—As soon as the ballots have been placed in their envelopes and properly sealed and one of the judges has been chosen to deliver election returns to the county auditor, the envelopes shall be delivered to such judge and he shall personally deliver or by registered mail send the same to the county auditor. The county auditor shall file all envelopes containing ballots thus transmitted to him in his office and shall keep them in a safe place with seals unbroken until the next general election, unless previously opened by proper authority for examination or recount.—Amdt. Chap. 256, Laws 1911.

Sec. 502. Poll lists and registers, how disposed of—When the canvass has been completed, one poll list and one register, kept and checked as in this chapter provided, shall be attached together by the judges and forthwith filed with the clerk of the municipality, together with the ballot register, if any; and the other poll lists, registers, and poll books so kept and checked shall be by said judges forthwith returned to the county auditor with the election returns. Such poll lists and registers shall be open at all times to public inspection without charge.

Sec. 503. Form of returns—In making out the returns, the clerks shall set down the total number of names entered upon the registers, male and female separately, in columns prepared therefor, the total number of ballots actually cast and counted, the name of each person voted for, the number of votes received by him, and the office, all numbers being written in both words and figures. Such returns shall be in substantially the following form, viz.: "At an election held at.....in the.....election district, composed of.....in the county of....., State of Minnesota, on the.....day of....., 19....., the following named persons received the number of votes opposite their respective names for the following office, to-wit: For (office), A. received.....votes;" and the same in case of every person voted for. Such returns shall be made in duplicate, each signed by the judges and attested by the clerks of election.

Sec. 504. Returns to be sealed and delivered—Before separating, the judges shall include one set of such returns in each of two envelopes, one of which envelopes shall then be sewed by drawing twice through it and the return therein a substantial twine, tying the ends thereof together and then sealing said envelope in three places with wax and stamp furnished by the county auditor, one of which places shall be over the knot in said twine, then indorse each envelope in the following form: "Election returns of the election district of.....

.....in the county of....," and direct one of such envelopes to the auditor and the other to the proper town, village, or city clerk. In towns, villages, and cities of the fourth class, one set of such returns, together with all unused and spoiled white, pink, and blue ballots, shall be delivered to the auditor at his office, by a judge chosen by lot or agreement, and the other, in like manner, to the clerk of the municipality. The judges also shall make a summary statement of the total votes cast for each person for any office, and for and against each proposition voted upon, and cause the same to be filed with the auditor with such returns where it shall remain open to public inspection.

Sec. 505. Delivery of returns and unused ballots—In towns, villages, and cities of the fourth class, the judges in all districts within fifty miles of the county seat shall file their election returns within twenty-four hours after the polls close, and, when the distance is more than fifty miles, within seventy-two hours. In cities of the first, second, and third classes immediately after the canvass has been completed and the returns prepared, the judges and clerks, before separating and without stopping at any place or leaving any of their ballot boxes, returns, or ballots at any place or with any person, shall deliver to the city clerk, at his office, one set of such returns, the ballot boxes, all unused and spoiled red ballots, and all other things in this chapter required to be delivered by them to such clerk; and the clerk shall remain in his office to receive the same until all have been delivered. The clerk shall keep a book in which, in their presence, he shall enter the names of the judges and clerks, and the hour at which such delivery was made, which book shall be preserved in his office for the same period as the ballots. The judges in each district shall forthwith choose one of their number, by lot or agreement, to deliver the other copy of such returns, and the unused and spoiled white, pink, and blue ballots, to the auditor. The judges so chosen shall deliver such returns, ballots, and all other things in this chapter required to be so delivered, to such auditor, at his office, within twenty-four hours after delivery of the ballot boxes and returns to the city clerk.

Sec. 506. Handling and care of ballots in cities of the first class and in counties where located—In counties having a population of 200,000 or more, and in all cities having a population of 50,000 or more, whether operating under home rule charters or otherwise, the ballots in each precinct shall, as soon as practicable after the canvass is completed, and in the presence of all the judges, be strung and fastened together into a single package by passing a substantial

twine string through and around all the ballots cast in such precinct, tying the ends of the twine and sealing the same with wax over the knots, with a seal provided by the county auditor or the city clerk, as the case may be. After the ballots have been so strung, fastened and sealed, they shall be replaced in the ballot boxes in the presence of all the judges, and each ballot box be locked and shall then be sealed by pasting a firm paper across the lid and body thereof, in such manner that the box cannot be opened without breaking the seal, and each judge shall write his name upon said paper, so that such signature shall cross the opening between the lid and the body of the box. Such sealing shall be done before the board separates or adjourns, but not until by a canvass of the ballots in all the boxes, it has been ascertained that all of the ballots to be sealed in a box have been placed therein.

In counties having a population of 200,000 or more, and in all cities having a population of 50,000 or more, whether operating under home rule charters or otherwise, the ballot boxes, after the ballots have been placed therein and the boxes have been properly sealed, shall be returned to the office of the county auditor or city clerk, as the case may be, by at least two of the election judges in person, and shall thereafter be stored in such manner as to admit at all times of actual, visual inspection of the exterior of the said boxes. Any candidate for office at such election, upon demand made upon the custodian of the ballots shall be entitled, either by himself, or his duly authorized agent, or agents, not exceeding two at any one time, to maintain continuous, visual watch over said boxes at all hours of the day and night until the expiration of the time for instituting contests; and in case of the instituting of contest or contests, either party to such contest, upon demand upon the custodian of the said ballots and upon notice to the opposing party to such contest, shall be entitled by himself, or his duly authorized agent or agents, not exceeding two at any one time, to maintain an actual, visual watch over such ballot boxes at all hours of the day and night. In event of such demand, either by candidate or party to a contest, the custodian of such ballots shall be authorized to appoint some suitable person as watchman over such ballot boxes during such hours as he shall deem necessary, in order to prevent leaving the same in the sole custody of such candidate or contestant, or his agent or agents.—Amdt. Chap. 2, Laws 1912.

Sec. 507. Returns, how delivered to county auditor—Compensation—And wherever the said election laws require the election returns

and other papers to be delivered to the county auditor by one of the judges or other manager, hereafter such returns and other papers shall, in the presence of all the judges of election, be deposited in duplicate, each in a separate envelope, one of which shall be sewed by drawing a substantial twine through said envelope and said returns, and tying the ends of said twine together, and then seal said envelope, with a stamp furnished by the county auditor, in three places, having one of the seals over the knot in said twine. Said judges shall designate one of their number to take within twenty-four hours, said envelopes, containing said election returns and other papers, to the nearest post-office, and cause them to be registered and mailed to the county auditor at his office. The person mailing such election returns and other papers shall receive for his compensation the sum of one dollar, and also ten cents per mile for each mile necessarily traveled in going to and returning from the post-office where such election returns were mailed; said compensation to be paid out of the county treasury.

Sec. 508. Same—Failure to register and mail—Penalty—Should the judge of election so designated fail to register and mail said election returns and other papers within the time herein specified he shall be deemed guilty of a misdemeanor, and punished accordingly.

Sec. 509. Same—Certain districts excepted—Provided, however, that this act shall not apply to election districts where the place of holding the polls is within ten (10) miles of the office of the county auditor by the nearest traveled route.—Chap. 214, Laws 1905.

Sec. 510. Failure to deliver return—Special messenger—Whenever the judges of election fail to make return as provided in this chapter, the auditor or clerk to whom such returns should have been made shall dispatch a special messenger to obtain them, who shall be entitled to the same compensation as a judge of election for like services, and be subject to the same penalties.

Sec. 511. Informalities—No officer to whom election returns are required to be made shall refuse to receive them because they are returned or delivered to him in any other manner than that prescribed in this chapter, except that they must be sealed. No canvassing board shall refuse to include any returns in its canvass of votes on account of any informality in holding the election or making returns thereof, but all returns shall be received and the votes canvassed by such board and included in its statements where there is a substantial compliance with the provisions of this chapter.

Sec. 512. County canvassing board—The auditor, the chairman of the county board, and two justices of the peace selected by the

auditor, from opposing political parties when possible, shall constitute the county canvassing board, any three of whom being present and sworn shall have power to act. Said board, within ten days after the election, shall meet at the auditor's office and there publicly canvass the returns made to said auditor. Said canvass shall be completed without unnecessary delay, and thereupon said board shall make, certify, and file with the auditor statements as follows:

1. Of the whole number of votes cast in such county for the several state officers, including presidential electors, members of the legislature, and judges of the district court, the names of the persons for whom such votes were cast, and the number cast for each. Also, upon the same return, the total number of registered names, male and female separately, in each election district, and the total number of ballots cast therein.

2. Of the names of all persons receiving votes for any county office, and the number of votes received by each.

3. Of the names of all candidates for the office of representative in Congress, and the number of votes received by each.

4. Of the number of votes cast for and against any proposed change of county lines or county seat.

5. Of the number of votes cast for and against any proposed amendment to the constitution, or other proposal submitted to popular vote.

Sec. 513. Returns to secretary of state—Two copies of each of such statements shall be made and certified under the official seal of the auditor, each inclosed in an envelope directed to the secretary of state, with the auditor's name and official address and the words "Election returns" indorsed thereon, and forwarded by different mails within five days of each other. If neither copy be received by the secretary within twenty days after the election, he shall immediately notify the auditor of that fact, who shall transmit another copy thereof to said secretary by special messenger deputed by him.

Sec. 514. County canvassing board to declare persons elected—The board having completed its canvass, shall declare the person receiving the highest number of votes for each county office duly elected thereto. When such county constitutes or contains a senatorial or representative district, it shall declare the persons receiving the highest number of votes, respectively, for senator or representative, duly elected.

Sec. 515. Certificates of election and copies of returns—The auditor of each county shall make, for every officer and member of the legislature elected therein a certificate of such election, and

deliver the same to the person entitled thereto, without fee, upon demand. He shall also make, for any candidate or voter of his county, a certified copy of any statement of votes made by the county canvassing board, on payment or tender of one dollar therefor.

Sec. 516. Legislative vote—More than one county—In legislative districts whose senators or representatives are voted for in more than one county, the auditor of each county shall make, under his official hand and seal, and from the returns in his office as determined by the county canvassing board, a statement of the votes cast for the several candidates for senator or representative, as the case may require. Such certificates shall be filed within fifteen days after the election with the auditor of the county senior in age, or, if none be senior, of that casting the largest vote at the preceding general election.

Sec. 517. Same—Canvass of votes, etc.—The auditor with whom said certificates are filed, two justices of the peace selected by him, the chairman of the county board of his county, and such auditors of the other counties forming parts of such district as may choose to attend, shall constitute the legislative canvassing board. Such board shall meet on the twentieth day after the election at the office where said certificates are filed, and there open and canvass the auditor's returns and declare the results of the vote. Said auditor shall thereupon make and deliver certificates of election to the persons having the highest number of votes for senator and representatives, respectively.

Sec. 518. Same—Correction of errors—Whenever it shall appear to such board that any of the returns so canvassed by them are erroneous in any respect, one of its number shall be deputed to take the same to the officer or board responsible for such error, and secure its correction. If necessary therefor, any county canvassing board shall re-assemble forthwith and such correction be made. Provided, that it shall not change any decision previously made, but shall only cause its canvass to be correctly stated. The legislative board may adjourn in such cases from day to day not exceeding ten days in all.

Sec. 519. State canvassing board—The secretary of state shall call to his assistance two or more judges of the supreme court and two disinterested judges of the district court, and they shall constitute the state canvassing board. He shall appoint a meeting of such board to be held in his office on the fourth Tuesday of November after each general election, and within thirty days after a special

election. When a vacancy in the membership of said board occurs by reason of inability or failure of any such judge to attend on the day appointed, he shall fill the vacancy by selecting another disinterested judge from either court: Provided, that not more than two judges of the supreme court shall be obliged to serve upon such board at one time.—Amdt. Chap. 76, Laws 1909.

Sec. 520. Statement of votes—Declaring result—Such board shall open and canvass the certified copies of the statements made by the county canvassing boards, prepare therefrom a statement of the whole number of votes cast at such election for candidates for the several state offices, the names of the persons receiving such votes and the number received by each, specifying the several counties in which they were cast. Such board shall subscribe and certify to the correctness of such statement, and within three days after such canvass declare the result.

Sec. 521. Canvass of votes for members of Congress and presidential electors—At the same time such board shall open and canvass the returns made to the secretary of state for members of Congress and presidential electors, and prepare a statement of the number of votes cast for the several persons receiving votes for said offices, and declare the person or persons receiving the highest number of votes for each office duly elected. But when it appears that more than the number of persons to be elected as presidential electors have the highest and an equal number of votes, the secretary of state, in the presence of said board shall decide by lot which of such persons shall be declared elected. The governor shall transmit to each person so declared elected a certificate of election, signed by him, sealed with the state seal, and countersigned by the secretary of state; and immediately after said canvass is completed he shall cause a statement of their election to be published in one or more of the newspapers printed at the state capital. Whenever two or more persons in any congressional district receive the same and the highest number of votes for representative in Congress, a special election shall be called, as hereinafter provided, for the election of a representative in Congress in such district.

Sec. 522. Notice of presence of electors—Vacancies—Ties—Every presidential elector, before 12 o'clock m. on the day next preceding that fixed by Congress for such electors to vote for President and Vice-President of the United States, shall notify the governor that he is at the state capitol, and ready at the proper time to fulfil his duties as such elector. The governor shall thereupon deliver to the electors present a certificate of the names of all the

electors, and if any elector named therein fails to appear before 9 o'clock a. m. on the day, and at the place, fixed for voting for President and Vice-President of the United States, the electors then present shall, in the presence of the governor, immediately elect by ballot a person to fill such vacancy. If more than the number of persons so required have the highest and an equal number of votes, the governor, in the presence of the electors attending shall decide by lot which of said persons shall be elected.

Sec. 523. Same—Notice, etc.—Immediately after such vacancies have been filled, the electors present originally chosen shall certify to the governor the names of the persons so elected to complete their number, and the governor shall at once cause written notice to be given to each person so elected to fill a vacancy; and the persons so chosen shall be presidential electors, and meet and act with the other electors.

Sec. 524. Meeting and action of electors—Such original and substituted presidential electors, at 12 o'clock m., shall meet in the executive chamber, at the state capitol, and then and there perform all and singular the duties imposed upon them as such electors by the constitution and laws of the United States and this state.

Sec. 525. Election contest for legislature—Notice—Any voter of a senatorial or representative district may contest the validity of the election of any person declared elected to the senate or house of representatives for such district, or his right to a seat therein, by causing to be served upon the contestee, within fifteen days after the completion of the final canvass, a written notice, specifying the points on which the contest will be made, and naming two justices of the peace of such legislative district before whom depositions relative thereto will be taken, and the time and place thereof, which time shall not be later than forty days after the election. Such notice shall be served in the same manner as a summons in a civil action, at least ten days before the time named therein for taking such depositions.

Sec. 526. Additional points—Notice by contestee—Within ten days after the service of such notice, the contestee, if he desires to offer testimony upon points not specified therein, may serve a like notice upon the contestant, specifying such additional points; naming two justices of the peace of the district to take the testimony, and fixing a time and place therefor. Such time shall be not less than ten days after the service, nor more than ten days after the date fixed in the contestant's notice.

Sec. 527. Testimony—How taken and certified—Said justices, or

either of them, shall issue subpoenas to all witnesses whose attendance is required by either party. They shall administer the oath to all witnesses produced, and reduce their testimony to writing, but shall receive no testimony which does not relate to some point specified in the notice in which they are named. Such notice, with proof of the service thereof, shall be attached to the evidence taken, which shall be duly certified and transmitted to the presiding officer of the house by which the contest is to be tried.

Sec. 528. Conduct of contest in legislature—Rules—In hearing the contest, the house shall proceed as follows:

1. At the time appointed, the parties shall be called, and, if they appear, their appearance shall be recorded.

2. If the presiding officer be a party, a speaker pro tem. shall be elected to preside.

3. The contestant's evidence shall be submitted first, followed by that of the contestee, and the contestant shall open the argument, and close the same after the contestee has been heard.

4. The vote upon the contest shall be viva voce, any member may offer reasons for the vote he intends to give, and a majority of the votes given shall decide; but no party to the contest shall vote upon any question relative thereto.

5. The clerk or secretary shall enter the proceedings in the journal.

Sec. 529. Contesting state and municipal elections—Notices—Trial—Any voter may contest the election of any person for or against whom he had the right to vote, who is declared elected to a state, county, or municipal office, or the declared result upon a constitutional amendment or other question submitted to popular vote, by proceeding as follows: He shall file with the clerk of the district court of the county of his residence, within ten days after the canvass is completed, a notice of appeal to such court, specifying the points upon which the contest will be made, and cause a copy thereof to be served upon the contestee when the contest relates to the election of an officer, upon the secretary of state when it is a matter submitted to popular vote which affects the entire state, or any subdivision thereof larger than a county, upon the auditor when it affects a single county, and in all other cases upon the municipality affected. In case of a contest as to a state office, the notice may be filed in any district court of the state, but the place of trial may be changed as in civil actions. When the contestee desires to offer testimony on points not specified in contestant's notice, he shall file and serve on the contestant notice thereof specifying such additional points. Such notices shall be treated as the pleadings in the

case, and may be amended in the discretion of the court. All notices provided for herein shall be served in such manner and within such times as the court may by order direct, and the testimony shall be taken, and the matter tried and determined, in the same manner as such actions are tried by the court, at a general or special term, if any, occurring within thirty days after such canvass. When no term is already fixed, the judge shall seasonably appoint a special term to be held within such time.—Amdt. Chap. 69, Laws 1911.

Sec. 530. Inspection of ballots on contest, whether for office or proposition submitted to vote—After a contest has been instituted, either party may have the ballots inspected before preparing for trial. The party applying for such inspection shall file with the clerk a verified petition, stating that he cannot properly prepare his case for trial without an inspection of such ballots, and thereupon the judge of said court shall appoint three persons if for a county or municipal office, or other question submitted to popular vote, one selected by each of the parties and a third by those two, by whom such inspection shall be made. If the contest relates to a state office, or to the declared result upon a constitutional amendment or other question submitted to popular vote throughout the state, a judge of said court shall appoint three persons in each county, one selected by each of the parties in each county and a third by those two by whom such inspection shall be made. It shall be conducted in the presence of the legal custodian of the ballots, and the party applying therefor shall file with the clerk a bond in the sum of two hundred and fifty dollars, with two sureties approved by the judge of such court. If the contest relates to a state office or to the declared result upon a constitutional amendment or other question submitted to popular vote throughout the state, the bond shall be for such sum as the court shall designate, conditioned that he will pay the costs and expenses of such inspection in case he fails to maintain his contest. In case either party neglects or refuses to name an inspector, he shall be selected by the judge.—Amdt. Chap. 368, Laws 1913.

Sec. 531. Appeal to supreme court—Method of procedure—When an appeal is taken to the supreme court from the determination of the district court in any contest, the party appealing shall file in the district court a bond in such sum, not less than five hundred dollars, and with such sureties, as shall be approved by the judge, conditioned for the payment of all costs incurred by the respondent in case appellent fails on his appeal. The return on such appeal shall be made, certified, and filed in the supreme court within fifteen

days after service of notice of appeal. The appeal may be brought on for hearing in said court at any time when it is in session, upon ten days' notice from either party, which may be served during term time or in vacation; and it may be heard and determined summarily by said court.

Sec. 532. Contesting vote on county seat removal, etc.—When a vote is taken in any county on the removal of the county seat, changing county lines, or on any other question submitted to popular vote, any voter therein may contest the declared result thereof. Within thirty days after such result is declared or proclaimed, he shall cause to be served on the county board of the county in which said vote was taken, or on a member thereof, a notice specifying the points on which said election will be contested; and within ten days after such service he shall file with the clerk of the district court of said county a copy of such notice. No appeal to said court shall be required. Such district court, at its first general or special term thereafter, shall hear and determine such contest as in the case of civil actions triable by the court. Such county board, or upon its failure, any voter of the county may appear and defend in such contest.

Sec. 533. Defective ballots—Whenever in any contested election the tribunal hearing the contest shall determine that the ballots used in any district, by reason of the omission, addition, misplacing, misspelling, or misstatement of one or more titles of offices, names of candidates, or parties or policies represented by them, were so defective as to the office in contest as to be calculated to mislead the voters in regard to any of the candidates for said office, and that the defective condition of said ballots may have affected the result of the entire election for such office, the election shall be declared invalid as to said office.

Sec. 534. Compensation for election services—The compensation for services performed under this chapter shall be as follows:

1. To presidential electors, ten dollars for each day's attendance at the capitol, and five cents for each mile necessarily traveled in going to and returning from St. Paul.

2. To members of the state canvassing board, three dollars for each day's attendance, and ten cents for each mile of necessary travel.

3. To persons carrying ballots from, and returns to, county auditor's offices, one dollar for each trip necessarily made, and ten cents for each mile of necessary travel.

4. To auditors, chairmen of county boards, justices of the peace, and others acting in their places, three dollars for each eight hours

of service as members of any canvassing board, and ten cents for each mile of necessary travel.

5. To regular, special and ballot judges and clerks of election, twenty-five cents for each hour necessarily spent in registering voters and receiving votes, and thirty cents for each hour so spent in counting and canvassing ballots. Provided that such compensation to regular, special and ballot judges and clerks of election in cities of the first class not operating under a home rule charter shall be fixed and determined by the city council or common council of such cities respectively, in an amount not exceeding 40 cents per hour.

6. To special peace officers, twenty cents for each hour of service rendered by direction of the judges.—Amdt. Chap. 395, Laws 1913.

Sec. 535. Compensation and other expenses, how paid—The compensation prescribed in section 534, subds. 1, 2, the cost of printing the white and pink ballots, and all necessary expenses incurred by the secretary of state in connection with elections, shall be paid by the state out of any moneys not otherwise appropriated. That prescribed in section 534, subds. 3, 4, the cost of printing the blue ballots, and all necessary expenses incurred by the auditors in connection with elections, shall be paid by the respective counties. That prescribed in the remaining subdivisions thereof, the cost of printing the red ballots, of providing ballot boxes and polling places, and equipping the same, and all necessary expenses of the clerks of municipal corporations on account of elections, shall be paid by the respective towns, villages, or cities where the elections are held. All disbursements hereunder shall be presented, audited, and paid as in the case of other public expenses.

Sec. 536. Application to towns and villages—Exceptions as to cities—The foregoing provisions of this chapter shall not apply to elections of town officers, nor, except those relating to the arrangements for voting at the polls and the preservation of order thereat, to village elections. And nothing herein shall affect the terms of city officers, or the times of holding city elections, as prescribed by the charters of the several cities.

Note—Chapter 180, Laws of 1909, provides that sections 153-343, Revised Laws of 1905, are not applicable to candidates for office at special elections in cities having a population of more than 10,000 and less than 20,000, and the chapter referred to makes provision for special elections in cities of that class.

COMMITTEES OF POLITICAL PARTIES

Sec. 537. State central, congressional, county and city committees,

how elected—Powers, etc.—Each political party shall provide a state central committee, a congressional committee for each congressional district, a county committee for each county, and a committee for each city in the manner following:

(a) The nominees for state offices, state legislature, senators and representatives in congress and United States senators and state senators whose term of office extend beyond the first Monday in January next ensuing, of each political party, shall meet on the second Thursday after said primary election at the state capitol at twelve o'clock noon, at which time they shall elect a state central committee, herein provided for, of such size as they shall at said time determine, and shall also elect a congressional committee for each congressional district, of such size as they shall at said time determine, the members of each congressional committee to be chosen from among the electors of the several congressional districts respectively.

(c) The nominees for city offices of each political party in each city shall meet at the city hall in their respective cities, on the first Monday after said primary election at twelve o'clock noon, at which time they shall elect a city committee of such size as they shall, at said time, determine and such precinct committees for the respective cities as they shall determine to be necessary.

(d) Each committee and its officers shall have the powers which have been customarily used by such committees and by the officers thereof, in so far as is consistent with this act. The various committees and their officers now in existence, shall exercise the powers and duties herein prescribed until their successors are chosen in accordance with this act.

VOTING MACHINES

Sec. 538. Municipal corporations may provide—The governing body of any municipal corporation, at any regular meeting thereof, or at any special meeting called for that purpose, may provide for the use of automatic voting machines in any one or more districts thereof, at all elections to be held therein; but, in an election of school officers only, the use of such machines shall not be made compulsory. No such machine shall be adopted or used unless it be so constructed and operated as to insure the secrecy of each vote, and to automatically register and count all the votes given, and to conceal the number of votes for each candidate and upon each proposition from the opening of the polls to the closing thereof.

Sec. 539. Rules for use—Whenever the governing body of any municipal corporation shall determine to use such machines, it shall, at a regular or special meeting held not less than thirty days before the election, prescribe suitable rules and instructions, not inconsistent with the provisions of this chapter, for using the same, submit the same to the attorney general for his approval, and, when approved by him, cause notice thereof to be given as in the case of election notices.

Sec. 540. Bond to keep in repair—No payment shall be made upon the purchase price of any such machine until the vendor thereof shall have filed with the secretary of state a bond with sufficient sureties, specifying such machine by its number, and conditioned to keep the same in good working order, at his own expense, for five years. The penalty of such bond shall be at least two hundred dollars, and upon a breach thereof the amount of such penalty shall be the measure of damages recoverable by the purchaser.

Sec. 541. Election officers where voting machines are used—No more than two clerks and no more than three judges shall be employed to officiate in any district wherein voting machines are used, except that in any district where two or more voting machines are used not to exceed two clerks may be employed for each voting machine used therein. The judges shall enforce the rules prescribed for the use of such machines, and carry out all the provisions of this chapter relating to the election, except such as are rendered inapplicable by the use of such machines.

Sec. 542. Cities, villages and towns may provide for use—The governing body of any city, village or town in this state may provide for the use of voting machines in all or one or more election districts thereof at all elections to be held therein, including primary elections; and at any such elections, the vote or ballot may be had and taken, and the votes cast thereat registered or recorded and counted, and the results of such election or elections ascertained by the use of voting machines instead of in the mode and manner now established by law, provided, however, that the adoption, examination, purchase and use of such machines and their use at such elections, shall be subject to the provisions hereinafter contained.

Sec. 543. Arrangement of names—Machines, how constructed—Where voting machines are authorized and employed, the arrangement of the names of the candidates thereon for each office shall be substantially the same as that prescribed by law where printed ballots are used, except that the provision contained in the general election law requiring the rotation of the names of candidates where more than

one is to be elected to the same office, need not be observed. In such case the names of the candidates of the various political parties shall be arranged on the ballot form alphabetically according to surnames. The machine adopted or employed must be so constructed as to insure to every elector an opportunity to vote in secret; to permit him to vote once and only once for all the candidates and upon all the propositions for whom or upon which he is legally entitled to vote; to permit him to vote by means of some device connected with the mechanism of the machine, for any person for any office elective by the voters of his election district at such election, although such person has not been regularly nominated for such office by any political party, and his name does not appear upon the ballot form on or in such machine as a candidate for such office; to prevent the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event to limit him to the number to be elected to that office; to prevent him at a primary election, from voting for the nomination of candidates of more than one party, or for any person whose name is not on the official ballot at such election; to prevent him from voting for any office or upon any proposed amendment, question or proposition, for whom or upon which he is not lawfully entitled to vote; to permit him to change or retract any vote he has attempted to cast for any candidate for any office or upon any proposition up to the time his vote has been completed, and his vote in favor of such person or proposition has been registered thereon. No machine which does not comply with these requirements shall be approved, authorized or employed.

Sec. 544. Voting machine commission—Appointment—Term—Duties—Approval of machines—Fees—There is hereby created a body to be known as "The Minnesota Voting Machine Commission," consisting of three members, including the attorney general, who shall be chairman.

Within thirty days after the passage of this act, there shall be appointed as members of said commission, two competent and responsible persons, who shall be master mechanics or graduates of a school of mechanical engineering.

The governor shall appoint one of said members and the attorney general the other.

None of the members of said commission shall, directly or indirectly, have any pecuniary interest in any voting machine. The said appointees shall serve for a term of four years from the date of appointment and until their successors are in like manner appointed.

The appointing power may fill vacancies in said commission. The said members of said commission so appointed shall qualify without delay by taking and filing with the secretary of state an oath of office in writing in the usual form, and shall elect one of their members to be secretary and one to be treasurer.

Any person, company or corporation, owning or being interested in any voting machine may apply to said commission to examine such machine and to report as to its compliance with the requirements of the law and on its accuracy, durability, efficiency and capacity to register the will of electors. The commission shall thereupon examine the machine so submitted, and make and file its report thereon. Said examination shall not be required as to each individual machine, but only as to each particular kind or type of machine, before its adoption, use, or purchase as provided herein.

The report of said commission shall be signed by the attorney general and at least one other member, and shall be filed with the secretary of state within ten days after the close of said examination.

If, from said report, it shall appear that, in the opinion of the commission, the kind of machine so examined complies with the requirements of this act and can be used safely at elections in this state, under the conditions prescribed by this act and by the laws of the state where the same do not conflict herewith, then said machine shall be deemed approved by said commission, and machines of its kind may be adopted and purchased for use, and may be used at elections in this state as herein provided. No form of voting machine not so approved may be used at any election in this state.

As the examination fee herein, said application shall be accompanied by the sum of one hundred and fifty dollars. After there has been deducted and paid out of said sum all expenses incurred by said commission in the discharge of its duties herein the balance shall, at such time as the commission may decide, be paid in equal parts to the members of said commission other than the attorney general as full compensation for their services and expenses herein.

Sec. 545. Rules for use to be approved by attorney general—Whenever the governing body of any city, village or town shall determine to use such machines, it shall by resolution or ordinance prescribe suitable rules and instructions not inconsistent with the provisions of this act for using the same, submit the same to the attorney general for his approval, and when approved by him, cause notices thereof to be given, as in the case of election notices.

Sec. 546. Authorization to purchase voting machines—The governing body of each city, village and town in this state is

hereby authorized to purchase for the use of each election district, in which it has authorized the use of voting machines, one or more such machines in complete working order, and to make suitable provision for the adjustment, custody and care thereof.

Sec. 547. Judges and clerks—Election districts—No more than three judges of election and no more than two clerks of election shall be employed to officiate in any district wherein voting machines are used. The judges shall enforce the rules prescribed for the use of such machines, and carry out all the provisions of the election laws of this state relating to elections, except such as are rendered inapplicable by the use of such machines. The election districts in which voting machines are to be used may be enlarged or reformed in the manner prescribed in the general election law, so that each district shall, when so first formed, contain not to exceed six hundred male electors, as shown by the registration books used at the then next preceding general election.

Sec. 548. Payment for machines—Tax levy—Bonds—Cities having 50,000 population—Payment for such machines may be provided for in such manner as is deemed for the best interests of the political division adopting and purchasing them, and each city, village and town is hereby authorized for said purpose, to appropriate money from the general fund, to levy a tax in the same manner as other taxes are levied or to issue and sell bonds or other certificates of indebtedness, which shall be a charge upon such city, village or town so adopting and purchasing such voting machines, and to provide for the payment and redemption thereof, at maturity. Such bonds or other certificates of indebtedness when issued by a city having a population of more than fifty thousand inhabitants according to the last preceding state or national census, may be issued by a majority vote of its governing body, and when issued by a city of any other class or by a village or town, by vote of its governing body duly ratified by the electors of such city, village or town at the next election held therein.

The bonds or certificates of indebtedness so issued may bear interest at the rate not exceeding six per cent per annum and may be made payable at such time, not exceeding twenty years from the date thereof, as may be determined by the resolution or ordinance authorizing the issuance thereof, and may be issued exclusive of and in addition to any limit of indebtedness fixed by the charter of such city or village, or by the laws of this state for such city, village or town, but such bonds or certificates shall not be issued or sold at less than par and accrued interest thereon.

Sec. 549. Operation of election laws—Laws repealed—All laws and parts of laws now in force in this state relating to state, county, city, village and town elections and defining the powers and duties of election officers so far as applicable to the use of voting machines, shall remain in full force and effect, and all laws and parts of laws inconsistent herewith shall be suspended in each city, village, town or election district wherein such voting machines are used, so long as the same shall be used therein.

Sec. 550. Injuring voting machines—Misdemeanor—Any person who shall wilfully injure or attempt to injure, or render ineffectual, any voting machine provided in accordance with the provisions of this act, or who shall violate any of the provisions hereof, shall be guilty of a misdemeanor and punished accordingly.

Sec. 551. Use of voting machines—Ballots where inadequate—Where voting machines shall be provided in the manner permitted by law, such voting machines may be used at all primary and general elections insofar as the use of the same is applicable, and not inconsistent with this act. If the mechanism of such machines will not permit the voter to record his vote in the manner provided in this act, said machines may be used in the manner now provided by law so far as is applicable, and as to offices to which such voting machines will not apply separate paper ballots conforming with the law shall be used. All votes on voting machines shall be recorded and counted and the results thereof ascertained, canvassed and returned as provided by this act.—Sec. 20, Chap. 2, Laws 1912.

Sec. 552. Repeal of certain acts—That all acts or parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed, except so much of chapter 267 of the General Laws of 1905 (542-550) and the acts amendatory thereof as applies to the purchase of voting machines and the use of the same at general elections, except chapter 388 of the General Laws for the year 1911, providing for the nomination of candidates and the selection of a candidate for senator in congress from this state by direct vote of the people, which said act shall remain in full force and effect except that the provisions in this act for the preparation of the ballot providing for first and second choice votes and the provisions in this act for the casting, counting and canvassing of said first and second choice votes and for determining nominees, shall apply to the persons and candidates mentioned in said chapter 388 of the General Laws for the year 1911.

Sec. 553. Alternation of names of candidates—The provision of Section 334 of the general election law requiring alterna-

tion of names of candidates where more than one is to be elected to the same office shall be observed so far as practicable by changing the order of the names of such candidates upon the different machines so that each name shall appear upon the several machines used in a given municipality substantially on equal number of times at the top, at the bottom, and in each intermediate place, if any, of the list or group in which they belong. Where more than one machine is used in an election district care shall be taken to see that the order of names upon the different machines is not the same. The officers charged with the preparation and distribution of these machines to the various election districts of the municipality using them, are hereby charged with the duty of arranging such substantial alternation of names and placing of the machines as will practically meet the requirements in this paragraph mentioned.

Sec. 554. Duty of county canvassing board, where ballot machines are used—That it shall be the duty of the county canvassing board in any county of this state wherein ballot machines shall be used in any election, at the time it convenes to canvass the election returns of any election wherein ballot machines shall have been used within such county, or as soon thereafter as it conveniently can do so, and before it proceeds to canvass such returns, to inspect the counting dial, or other mechanical recording device on any such ballot machine showing the number of votes cast for any candidate or proposition voted on at any such election and any irregular ballots recorded thereon or therein, and to compare the number of votes so shown by such ballot machines to have been cast for each candidate voted for on and by such voting machines and each proposition submitted to the voters voting thereon or thereby with the returns made by the election officers of the several election precincts in which said voting machines were used at such election and in case there is a discrepancy between the returns so made by such district election officers and the number of votes shown by such voting machines on such inspection, then and in such case it shall be the duty of such canvassing board to correct such returns as to all candidates and propositions the returns with reference to which are to be canvassed by it, so made by such district election officers so as to make such election returns conform to the vote so shown by such machines on such inspection as aforesaid and such corrected returns shall thereupon and thereafter be regarded and deemed by such canvassing board as the true and correct return of the number of votes cast for each candidate voted for and each proposition voted on, in the election district the returns from which shall have been so corrected by

such canvassing board. After correcting such returns the canvassing board shall proceed to the performance of its duties as now provided by law.

In case of any election contest the returns of the district election officers, as corrected by the canvassing board as aforesaid, shall be prima facie evidence of the vote cast for each candidate and on each proposition voted on at any election, to the same extent and in the same manner, and not otherwise, as is the return of the district election officers in precincts where ballot machines are not used. For the purpose of inspecting such voting machines such canvassing board may adjourn its sessions from time to time as occasion may require and may hold its sessions at any place within the county where the ballot machines are usually kept and stored.

Sec. 555. Same—City or municipal canvassing board—Any canvassing board of any city or municipal corporation other than a county, charged by law with the duty of canvassing the returns of any election therein, at which voting machines were used, shall have, with reference to the vote and returns thereof for all officers and propositions the returns with reference to which are to be canvassed by it, the same powers, privileges, duties and obligations as are conferred and imposed on county canvassing boards by the provisions of section 1 (554) of this act. The returns of the district election officers, as to candidates and propositions to be canvassed by such city or other municipal canvassing board, shall be corrected by it in the same manner and with like effect as is hereinbefore provided for by section 1 (554) of this act as to returns to be canvassed by the county canvassing board.

Sec. 556. Judges to see that voting machine is locked—It shall be the duty of every election judge in any election district wherein voting machines are used at any election, immediately after the closing of the polls and the reception of the last vote which may be lawfully received, to see to it that each voting machine which shall have been used in such district at any such election is locked, either by himself or some one of the other election judges or clerks of such election district, so that the mechanical recording device or devices on such voting machines, which record the votes received by each candidate and on each proposition submitted to the voters, cannot be further manipulated or turned so as to increase or diminish the number of votes shown thereon.

Any election judge violating the provisions of this section shall be guilty of a misdemeanor.

Sec. 557. Voting by ballot where machines are used—That

in all election districts in this state in which voting machines now are or may hereafter be lawfully provided for the use of electors, such electors may, notwithstanding, at any general, special, or primary election, vote by ballot, subject to the limitations of this act.

Sec. 558. Ballots to be provided—In all such election districts, the election officers shall provide printed ballots for one-half the number of electors entitled to vote in such district, and shall also provide separate booths in which electors may vote upon such ballots; if at the time any elector presents himself for the purpose of voting at any such election district all the voting machines in such district are in use, the election officers shall provide such elector with such printed ballots and shall permit him to vote thereon instead of on a voting machine; all such ballots, after being voted upon, shall be handed by the voter to the election officers of the election district and by them placed in sealed boxes and after the closing of the polls, said ballots shall be counted, listed, kept and returns thereof made in all respects as provided by law in cases where no voting machines are used.

Sec. 559. Penalty.—Any person violating any provision of this act shall be guilty of a felony and be punished by a fine not exceeding one thousand dollars, or by imprisonment in the state penitentiary not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

GARBO ELECTION SYSTEM

Sec. 560. County board may adopt—Contract—The county board of any county may by resolution provide for and adopt the use of said Garbo system at any primary or general election to be held therein, provided such resolution must be adopted at least six months before any primary or general election at which such system is to be used and a copy of such resolution so adopting such system shall be transmitted to the secretary of state immediately upon its adoption.

In case any county adopts and provides for the use of said Garbo system at any primary or general election, it is hereby authorized and empowered to enter into a contract with the owner of the patent rights upon and covering the devices constituting the said system for the use thereof in such county at the primary and general election therein and for the purchase of such patent ballots, filing frames and other patent devices used therewith. Such contract, if entered

into, shall provide for the future acquisition by the county of such additional patented devices necessary for the full and complete use of such system as may from time to time be needed, as well as such additional patented devices and further improvements to said system as may be necessary or desirable to fully protect the present and future rights of the county in adopting and using such system.

Sec. 561. Partisan primary election ballot—Form—Duties of judges—In case any county adopts such system for use at any primary and general election therein and contracts for and secures the right to use said election system at any such election, the form of the partisan primary election ballot used in any such county at any primary election therein whereat such system is to be used shall be substantially as follows:

Each voter shall be entitled to mark his said partisan primary election ballot for one first choice and for one second choice candidates for each office. To cast a first choice vote, he shall place a cross mark (X) in the first choice column after, and to the right of the name of the candidate for whom he wishes to cast his first choice vote, and between the same horizontal lines within which appears the name of such candidate, and to cast a second choice vote he shall place a cross mark (X) between the same horizontal lines, in the "second choice" column at the head of which is printed the name of the candidate for whom he desires to cast his second choice vote.

A second choice cross mark placed in a second choice column, except when placed in the column under the voter's first choice candidate, shall be counted as a second choice vote for the candidate under whose name it is placed.

If, on the canvass of the ballots, the judges of election discover that a voter has made his second choice mark between two horizontal lines either above or below the horizontal space in which he made his first choice cross mark, the judges shall draw a circle around said second cross mark, and shall make a new cross mark between the same horizontal lines containing the first choice cross mark, and under the name of the candidate in whose column the original mark was made by the voter; provided, that in case the second choice cross mark not between the proper horizontal lines, is under the name and in the column of the candidate for whom the first choice vote was cast, the judges shall draw a circle around such second choice mark, but shall not transfer it or make a new mark.

If a voter places two or more cross marks in the first choice column after the names of two or more candidates, the judges shall draw a circle around each of said marks and none of them shall be counted.

If a voter places two or more cross marks in the second choice columns under the names of more than one candidate, the judges shall draw a circle around each of said marks and none of them shall be counted.

If a voter places more than one cross mark in any one second choice column under the name of any one candidate, the judges shall draw a circle around each of such marks, except such one as is between the same horizontal lines as the voter's first choice, and if none of such cross-marks be between the same horizontal lines, a circle shall be drawn around each of them and a cross mark placed between the same horizontal line, within which appears the first choice cross-marks, and in the same second choice column, provided, that if the name at the head of the second choice column in which such one or more cross-marks appear is the same as the name of the candidate for whom the voter cast a first choice vote, the judges shall draw a circle around each of such second choice marks. The judges, in canvassing and counting the ballots shall not count or include as a vote any cross-mark around which a circle has been drawn as hereinbefore provided.

Sec. 562. Rules and regulations—Duties of governor, attorney general and secretary of state—In case any county or counties adopt such system and contract for and secures the right to use said election system at elections therein, the governor, attorney general and secretary of state shall formulate and publish such rules and regulations concerning the printing of ballots to be used therewith, the form and creasing thereof, the counting and canvassing of such ballots, and the making of returns thereof, the use of the "filing frame" and other patented devices used in connection with such election system, as may be necessary or desirable to effectuate the purposes of this act and the use of such system. Such rules and regulations shall conform as nearly as possible to the provisions of law now in force regulating such matters, with only such changes as are necessary as safeguard and render usable said election system and the ballots and patented devices used therewith, at general and primary elections, and shall not be inconsistent with this act. If a contract is entered into as aforesaid, such rules and regulations shall be formulated and filed with the secretary of state, and shall be signed by at least two of the members of said commission, and shall thereafter and thereupon supersede any provision of law now in force inconsistent therewith. It shall be the duty of the secretary of state to print, publish and distribute such rules and regulations within the counties adopting said

system, to such persons and in such manner, as is now provided by law for the printing and distribution of the election laws of this state.

Sec. 563. Alternating of names on ballot—In any county which adopts and uses such system the ballot to be used therein at any primary or general election at which such system is used, shall be so printed and prepared that whenever two or more persons are to be elected to the same office, the names of all candidates of the several political parties for such office shall be so alternated on the ballots printed and distributed, that they shall appear thereon substantially an equal number of times at the top, at the bottom and in each intermediate place, if any, on the list or group in which they belong. All officers charged with the preparation and distribution of such ballots, shall cause the printer's forms to be so transposed and the blocks of ballots to be so made up as to carry out the intent thereof: Provided, that nothing in this section shall apply to the office of presidential elector, and provided, further, that on all ballots distributed to, and used in any given election district, the names of all candidates on all ballots distributed to, and used in, such election district shall appear thereon in the same order.

Sec. 564. One ballot box to be used—Size to be determined by commission—In counties which shall adopt and use such system only one ballot box shall be used in any given election district, which box shall be of such size and dimensions as shall be prescribed by the rules and regulations formulated by said commission: Provided, that in any district where the number of voters thereof is so great as to require it, more than one box may be used.

The judges of election shall deposit all ballots in such boxes in the presence of the voter without folding and face downward in such manner that no person can see the markings thereon made by the voter, provided, that when ballots are larger than the dimensions of the ballot box the judges of election may fold them to a convenient size before depositing them in the ballot box.

Sec. 565. When use of system prevented—If after a county has voted to adopt said system, no contract therefor is entered into or the use of said system therein is enjoined or for any reason the use thereof is prevented then and in such case the provisions of law now in force regulating the matters referred to herein shall apply and be observed by all public officials, election officers and persons.

Sec. 566. Cities using voting machines—The use of the such election system, if contracted for, shall not be obligatory in any city which now has or which may hereafter authorize and provide for the use of voting machines, therein, but such city may use such system in connection with voting machines.

CORRUPT PRACTICES

Sec. 567. Legal expenses designated—No candidate for the nomination or election to any elective office in this state coming within the provisions of this act shall directly or indirectly pay, expend or contribute any money or other valuable thing, or promise to do so, except for the following purposes, which are hereby declared to be legal expenses.

(1) For the candidates' necessary personal traveling expenses; for postage, telegraph, telephone, or other public messenger service.

(2) For rent and necessary furnishing of hall or room during such candidacy, for the delivery of speeches, relative to principles or candidates.

(3) For payment of speakers and musicians at public meetings, and their necessary traveling expenses.

(4) Printing and distribution of list of candidates, sample ballots, pamphlets, newspapers, circulars, cards, hand bills, posters and announcements relative to candidates, or public issue or principles.

(5) For copying and classifying poll lists, for making canvasses of voters and for challengers at the polls.

(6) For filing fees to the proper public officer, and if nominated at any primary for contributions to the party committee.

(7) For campaign advertising in newspapers, periodicals, or magazines pursuant to the provisions of Section 2 (568).

Sec. 568. Designation of political advertisements in newspapers—Publisher to file statement with Secretary of State—No publisher of a newspaper, periodical or magazine shall insert either in the advertising columns of such newspaper, magazine or periodical, or elsewhere therein any matter paid or to be paid for which is intended or tends to influence directly or indirectly any voting at any primary or general election unless at the head of said matter is printed in pica capital letters the words "Paid Advertisement," and unless there is also a statement at the head of said matter of the amount paid or to be paid therefor, the name and address of the candidate in whose behalf the matter is inserted and of any other person, if any, authorizing the publication and the name of the author thereof. No publisher of any newspaper, periodical or magazine published within this state shall insert therein either in the advertising column of such newspaper, magazine, periodical, or elsewhere therein, any matter whatsoever of a political nature, or any political editorial relative to a candidate for any public office, unless the publisher

thereof shall file in the office of the secretary of state of this state within six months before the holding of any primary or general election, or within ten days after the calling of and before the holding of any special election, a sworn statement which shall contain the names of the owners of such paper, and if such paper be a corporation, the names and addresses of the owners of the shares of stock of such corporation.

Sec. 569. Publisher's statement to be filed with County Auditor—Every candidate and every member of any personal campaign or party committee, who shall either in his own name or in the name of any other person, own any financial interest in any newspaper or periodical, circulating in part or in whole in Minnesota, shall, before such newspaper or periodical shall print any matter otherwise than as is provided in Section 2 (568), which is intended or tends to influence, directly or indirectly, any voting at any election or primary in this state, file in the office of the auditor of the county in which he resides a verified declaration, stating definitely the newspaper or periodical in which or over which he has such financial interest or control, and the exact nature and extent of such interest or control. The editor, manager or other person controlling the publication of any such newspaper or article, who shall print or cause to be printed any such matter contrary to the provisions of this act, prior to the filing of such verified declaration from any person required by this section to file such declaration, shall be deemed guilty of a violation hereof.

Sec. 570. Soliciting by publisher or candidate prohibited—No owner, publisher, editor, reporter, agent or employe of any newspaper or other periodical, shall, directly or indirectly, solicit, receive or accept any payment, promise or compensation, nor shall any person pay or promise to pay, in any manner compensate any such owner, publisher, editor, reporter, agent or employe, directly or indirectly, for influencing or attempting to influence through any printing matter in such newspaper any voting at any election or primary through any means whatsoever, except through the matter inserted in such newspaper or periodical as "Paid Advertisement," and so designated as provided by this act.

Sec. 571. Maximum expenditure of candidates—No disbursement shall be made and no obligation, express or implied, to make such disbursement, shall be incurred by or on behalf of any candidate for any office under the constitution or laws of this state, or under the ordinance of any town or municipality of this state in his campaign

for nomination and election, which shall be in the aggregate in excess of the amounts herein specified, namely:

1. For governor, seven thousand dollars.
2. For other state officers, thirty-five hundred dollars.
3. For state senator, six hundred dollars.
4. For member of house of representatives, four hundred dollars.
5. For presidential elector-at-large, five hundred dollars, and for presidential elector for any congressional district, one hundred dollars.
6. For any county, city, village or town officer, for any judge or for any officer not hereinbefore mentioned, who, if nominated and elected, would receive a salary, a sum not exceeding one-third of the salary to which such person would, if elected, be entitled during the first year of his incumbency in such office. If such person, when nominated and elected, would not receive a salary, a sum not exceeding one-third of the compensation which his predecessor received during the first year of such predecessor's incumbency. If such officer, when nominated and elected, would not receive a salary and if such officer had no predecessor, and in all cases not specifically provided for, one hundred dollars, and no more.

Sec. 572. Soliciting by certain organizations forbidden—No person shall demand, solicit, ask or invite any payment or contribution of any religious, charitable or other causes or organization, supposedly to be primarily for the public good, from any candidate for nomination or election, or to subscribe for the support of any club, or organization, or to buy tickets to any entertainment or ball or to pay for space in any book, program, periodical or publication, nor shall such demand or solicitation be made upon any committee. Provided, however, this shall not apply to the solicitation of any business advertisement in periodicals in which the candidate was a regular contributor, prior to his candidacy, nor to ordinary business advertisements, nor to regular payments of any organization, religious, charitable or otherwise, of which he was a member, or to which he was a contributor for more than six months before his candidacy, nor to any ordinary contribution at church services.

Sec. 573. Campaign literature must bear name of author—Any person or committee who shall publish, issue or circulate, or cause to be published, issued or circulated, otherwise than in a newspaper, as provided in Section 2 (568) of this act, any literature or any publication tending to influence voting at any primary or election which fails to bear on the face thereof the name and address of the author, the name and address of the candidate in whose behalf the

same is published, issued or circulated, and the name and address of any other person or committee causing the same to be published, issued or circulated, and any person, firm, corporation or committee who shall knowingly make or publish or cause to be published, any false statement in relation to any candidate or proposition to be voted upon, which statement is intended to or tends to affect any voting at any primary or election, shall be guilty of a misdemeanor; provided, nothing herein contained shall be construed as modifying or repealing any of the provisions of Section 370, Revised Laws 1905 (621).

Sec. 574. Certain soliciting and disbursing prohibited—(1) No person shall solicit, receive or accept any money, property or other thing of value, or any promise or pledge thereof, constituting a disbursement prohibited by this act.

(2) No person, firm or co-partnership shall disburse, expend or contribute in any manner whatsoever for political purposes during any primary or election, a sum of money in excess of fifty dollars, except through a political committee.

Sec. 575. Inducing of persons to become or not to become candidates prohibited—No person shall pay, or promise to reward another in any manner or form for the purpose of inducing him to be or refrain from or cease being a candidate, and no person shall solicit any payment, promise or reward from another for such purpose.

Sec. 576. Candidate and elector prohibited from treating or receiving entertainment—No person or candidate shall, either by himself or by any other person, while such person or candidate is seeking a nomination or election, directly or indirectly, give or provide, or pay, wholly or in part, the expenses of giving or providing any meat or drink or other entertainment or provision, clothing, liquors, cigars or tobacco, to or for any person for the purpose of or with the intent or hope to influence that person or any other person to give or refrain from giving his vote at such primary or election to or for any candidate or political party ticket, or measure before the people or on account of such person or other person having voted or refrained from voting for any candidate or the candidates of any political party or organization or measure before the people, or being about to vote, or refrain from voting, at such election. No elector shall accept or take any such meat, drink, entertainment, provision, clothing, liquor, cigars, or tobacco, and such acceptance shall be a ground of challenge to his vote and of rejecting his vote on a contest.

Sec. 577. Undue influence defined and prohibited—No person

shall directly or indirectly by himself or any other person in his behalf, make use of or threaten to make use of any force, coercion, violence, restraint, or undue influence, or inflict or threaten to inflict by himself, or any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel such person to vote or refrain from voting for any candidate or the ticket of any political patry, or any measure before the people, nor shall by abduction, duress, or any fraudulent contrivance, impede or prevent the free exercise of the franchise of any voter at any primary or election, or compel, induce or prevail upon any elector to give or to refrain from giving his vote at any primary or election.

Sec. 578. Bet or wager prohibited—Any candidate who, before or during any primary or election campaign, makes any bet or wager of anything of pecuniary value, or in any manner becomes a party to any such bet or wager on the result of the primary or election in his electoral district, in any part thereof, or on any event or contingency relating to any pending primary or election, or who provides money or other valuable thing to be used by any person in betting or wagering upon the results of any impending primary or election, shall be guilty of a violation of this act. Any person, who for the purpose of influencing the result of any primary or election, makes any bet or wager of anything of pecuniary value on the result of such primary or election, in his electoral district or any part thereof, or of any pending primary or election, or on any event or contingency relating thereto, shall be guilty of a violation of this act, and in addition thereto, any such act shall be a ground of challenge against his right to vote.

Sec. 579. Payment of personal service, use of buttons and payment of vehicles on election, prohibited—It shall be unlawful for any person to pay another for any loss or damage due to attendance at the polls, or in registering. No person shall pay for personal service to be performed on the day of a caucus, primary, convention, or any election, for any purpose, connected therewith, tending in any way, directly or indirectly, to affect the result thereof, except for the hiring of persons whose sole duty it is to act as challenger and watch the count of official ballots. No person shall buy, sell, give or provide any political badges, buttons or other insignia to be worn at or about the polls on the day of any primary or election, and no such political badge, button or other insignias shall be worn at or about the polls on any primary or election day. No person or committee, or organization shall convey or furnish

any vehicle for conveying or bear any portion of any expense of conveying any voter to or from the polls, but this provision shall not apply to persons of the same household, nor shall it prohibit two or more voters from providing joint transportation for themselves by mutual agreement at their own expense.

Sec. 580. Soliciting of votes within one hundred feet of polling places and distribution of campaign cards, etc., on election day prohibited—(1) It shall be unlawful for any person within one hundred feet of the building in which any polling place is situated on the day of any primary or election to ask, solicit or in any manner try to induce or persuade any voter on such primary or election day to vote for or refrain from voting for any candidate or the candidates or ticket of any political party or organization, or any measure submitted to the people, and upon conviction thereof he shall be punished by a fine of not less than five dollars nor more than one hundred dollars for the first offense, and for the second and each subsequent offense occurring on the same or different election days, he shall be punished by a fine as aforesaid, or by imprisonment in the county jail for not less than five nor more than thirty days or by both such fine and imprisonment.

(2) Any person who shall at any place on the day of any primary or election circulate or distribute, or cause to be circulated or distributed, any campaign cards, candidates' cards, placard or campaign literature of any kind whatsoever, shall be guilty of a misdemeanor. Provided, nothing herein contained shall be construed as modifying or repealing the provisions of Section 364, Revised Laws 1905 (615).

Sec. 581. Disbursements to be made only under personal direction of candidate—No candidate shall make any disbursement for political purposes except under his personal direction which for any purpose shall be considered his act, through a party committee, or through a personal campaign committee, whose authority to act shall be filed, as provided in this act.

Sec. 582. Selection of single personal campaign committees—Any candidate may select a single personal campaign committee to consist of one or more persons. Before any personal campaign committee shall make any disbursement in behalf of any candidate, or shall incur any obligation, expressed or implied, to make any disbursement in his behalf, such candidate shall file with the filing officer of such candidate a written statement signed by such candidate, setting forth that such personal campaign committee has been appointed and giving the name and address of each member

thereof and of the secretary thereof. If the campaign committee consists of only one person, such person shall be deemed the secretary thereof. Any candidate may revoke the selection of any member of such personal campaign committee by a revocation in writing which, with proof of personal service on the member whose selection is so revoked, shall be filed with the filing officer of such candidate. Such candidate may fill the vacancy thus created in the manner in which the original appointment is made. In civil actions and proceedings brought under this act, the acts of every member of such personal campaign committee shall be presumed to be with the knowledge and approval of the candidate until it has been clearly proved that the candidate did not have knowledge of and approve the same, and that, in the exercise of reasonable care and diligence, he could not have had knowledge of and opportunity to disapprove the same.

Sec. 583. Disbursements by personal campaign or party committee—No personal campaign or party committee shall make any disbursement except:

(1) For maintenance of headquarters and for hall rentals incident to the holding of public meetings.

(2) For necessary stationery, postage, telegraph, telephone, messenger and clerical assistance to be employed at a candidate's headquarters or at the headquarters of the committee, incident to the writing, addressing and mailing of letters and campaign literature.

(3) For necessary expenses, incident to the furnishing and printing of badges, banners and other insignia, to the printing and posting of handbills, posters, lithographs and other campaign literature, and the distribution thereof through the mails or otherwise.

(4) For campaign advertising in newspapers, periodicals or magazines, as provided in this act.

(5) For wages, and actual necessary personal expenses of public speakers, organizers and musicians.

(6) For traveling expenses of members of the committee.

(7) For preparing poll lists and for challengers at the polls.

Sec. 584. Bills to be rendered within ten days after primary election date—Every person who shall have any bill, charge or claim upon or against any personal campaign or party committee or any candidate, for any disbursement made, services rendered, or thing of value furnished, for political purposes, or incurred in any manner in relation to any primary or election, shall render in writing to such committee or candidate such bill, charge or claim within ten days

after the day of the primary or election in connection with which such bill, charge or claim was incurred. No candidate and no personal campaign or party committee shall pay any bill, charge or claim so incurred prior to any primary or election, which is not so presented within ten days after such primary or election.

Sec. 585. Statements of disbursements—Where filed—What to contain—(1) Every candidate, and the secretary of every personal campaign and party committee shall, on the second Saturday occurring after such candidate or committee has first made a disbursement or first incurred any obligation, expressed or implied, to make a disbursement for political purposes, and thereafter, on the second Saturday of each calendar month, until all disbursements shall have been accounted for and also on the Saturday preceding any election or primary, file a financial statement verified upon the oath of such candidate or upon the oath of the secretary of such committee, as the case may be, which statement shall cover all transactions not accounted for and reported upon in statements theretofore filed. Each statement after the first shall contain a summary of all preceding statements, and summarize all items theretofore reported, under the provisions of this act.

(2) The statement of any candidate and the statement of his personal campaign committee shall be filed with the filing officer of such candidate. The statement of every state committee, and of every congressional committee shall be filed with the secretary of state. The statement of every party committee for a state senatorial district, or for state representative district, shall be filed with the filing officer of the candidate for state senator or state representative in such district. The statement of every other party committee shall be filed in the office of the county auditor of the county within which, or for a subdivision within which such disbursements were made.

(3) Each statement shall give in full detail:

(a) Every sum of money and all property, and every other thing of value, received by such candidate or committee during such period from any source whatsoever which he or it uses or has used, or is at liberty to use for political purposes, together with the name of every person or source from which each has received and the date when each was received, together with the total amount received from all sources in any amount or manner whatsoever.

(b) Every promise or pledge of money, property or other thing of value, received by such candidate or committee during such period, the proceeds of which he uses or has used, or is at liberty

to use for political purposes, together with the names of the persons by whom each was promised or pledged, the special purposes for which each was promised or pledged and the date when each was so promised or pledged, together with the total amount promised or pledged from all sources in any amounts or manner whatsoever.

(c) Every disbursement by such candidate or committee for political purposes during such period, together with the name of every person to whom the disbursement is made, the specific purpose for which each was made, and the date when each was made, together with the total amount of disbursements made in any amounts or manner whatsoever.

(d) Every obligation, expressed or implied, to make any disbursement incurred by such candidate or committee for political purposes during such period, together with the names of the person or persons to or with whom each such obligation has been incurred, the specific purpose for which each was made, and the date when each was incurred, together with the total amount of such obligations made in any amounts or manner whatsoever.

(e) Statements shall also be made by any other political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed with the auditor of the county in which such committee has its headquarters within thirty days after any primary or election.

Sec. 586. Blanks to be prepared by Secretary of State—Blanks for all statements required by this act shall be prepared by the secretary of state and copies thereof, together with a copy of this act, shall be furnished through the county auditor or otherwise, as the secretary of state may deem expedient, to the secretary of every committee, and to every candidate upon filing of nomination papers, and to all other persons required by law to file such statements who may apply therefor.

Sec. 587. Name of candidate not to be placed on official ballot until statement of disbursements has been filed—The name of a candidate chosen at a primary election or otherwise shall not be printed on the official ballot for the ensuing election, unless there has been filed by or on behalf of said candidate and by his personal campaign committee, if any, the statements of accounts and expenses relating to nominations required by this act.

Sec. 588. Promises of appointment or to aid in appointment prohibited—No person shall, in order to aid or promote his nomination

or election, directly or indirectly, himself, or through any other person, appoint or promise to appoint any person, or secure or promise to secure or aid in securing the appointment, nomination or election of any person to any public or private position or employment, or to any position of honor, trust or emolument. Nothing herein contained, however, shall prevent a candidate from stating publicly his preference for or support of any other candidate for any office to be voted for at the same primary or election; nor prevent a candidate, for any office in which the person elected will be charged with the duty of participating in the election or the nomination of any person as a candidate for any office, from publicly stating or pledging his preference for or support of any person for such office or nomination.

Sec. 589. Employer prohibited from attempting to influence employe—No person being an employer or acting for or in behalf of any employer shall give, distribute or cause to be given or distributed to any of his employes, any printed or written matter containing any threat, notice or information, or make any threat, verbal or otherwise, that in case any particular ticket or a political party or organization or candidate shall be elected or any measure referred to a vote of the people shall be adopted, work in his place or establishment will cease, in whole or in part, or his place of establishment will be closed up, or the salaries or wages of the workmen or employes be reduced or other threats, expressed or implied, intended or calculated to influence the political opinion or actions of his workmen or employes.

Sec. 590. Candidate may delegate expenditures to personal campaign committee—Any candidate may delegate to his personal campaign committee or to any party committee of his party in writing duly subscribed by him, the expenditure of any portion of the total dusbursements which are authorized to be incurred by him or on his behalf, by the provisions of this act but the total of all disbursements by himself and by his personal campaign committee in his behalf shall not exceed in the aggregate the amounts in this act specified, except as provided herein.

Sec. 591. Expenditures by campaign committees—(1) No disbursement shall be made and no obligation, expressed or implied, to make such disbursement, shall be incurred by or on behalf of any personal campaign committee, exceeding in the aggregate the total amounts theretofore delegated to such committee in writing, duly subscribed as provided herein.

(2) The state central committee of any political party entitled

by law to have the names of its candidates placed upon the official ballot in a general election may, however, in addition to the disbursements and obligations to make disbursements provided for in sub-section 1 hereof, make further disbursements in connection with any general election, not exceeding in the aggregate the sum of ten thousand dollars.

(3) Nothing contained in this act shall be construed to authorize the state central committee of any political party, to make disbursements in connection with any election, in excess in the aggregate of ten thousand dollars, and every disbursement by any such committee in excess of such amount is forbidden.

Sec. 592. Corporations prohibited from making contributions—No corporation doing business in this state shall pay or contribute, or offer, consent, or agree to pay or contribute, directly or indirectly, any money, property, free service of its officers or employes or thing of value to any political party, organization, committee or individual for any political purpose whatsoever, or to promote or defeat the candidacy of any person for nomination, election or appointment to any political office. If any corporation shall be convicted of violating any of the provisions of this act, it shall be subject to a penalty in the amount of not exceeding ten thousand (10,000) dollars to be collected as other claims or demands for money are collected; and if a domestic corporation, in addition to said penalty, it may be dissolved; and if a foreign or non-resident corporation, in addition to said penalty, its right to do business in this state may be declared forfeited.

Sec. 593. Penalty for violation by officers, etc., of corporations—Any officer, employe, agent or attorney or other representative of any corporation, acting for or in behalf of such corporation who shall violate this act, shall be punished upon conviction by a fine of not less than one hundred nor more than five thousand dollars, or by imprisonment in the state prison for a period of not less than one nor more than five years, or by both such fine and imprisonment in the discretion of the court or judge before whom such conviction is had.

Sec. 594. Violations prima facie evidence—Disposition of fine—The violation of this act by any officer, of such corporation, shall be prima facie evidence of said violation by such corporation. All fines or forfeitures recovered under the provisions of this act shall when collected be paid into the treasury of the county for the use of the road and bridge fund, and it is hereby made the duty of the

county attorney of each county to conduct prosecutions under this act on proper complaint.

Sec. 595. Aiding in violation of act a gross misdemeanor—Any person or persons who shall aid, abet, or advise a violation of this act, shall be guilty of a gross misdemeanor and upon conviction thereof shall be punished as provided in this act.

Sec. 596. Where prosecuted—Violations of this act may be prosecuted in the county where such payment or contribution is made or services rendered or in any county wherein such money has been paid or distributed.

Sec. 597. Filing officers to notify candidates or committees of failure to make compliance—Duty of county attorney—The officer with whom the expense account of any candidate for public office or committee is required to be filed by this act, shall notify such candidate or committee of the failure to comply with such law, immediately upon the expiration of the time fixed by any law of this state for the filing of the same, and shall notify the county attorney of the county where such candidate resides or in which the headquarters of the committee is located, of the fact of the failure to file such expense account and said county attorney shall thereupon notify such candidate or the secretary of said committee of such delinquency and if the provisions of this act shall not be complied with within ten days after the mailing of such notice, the county attorney shall thereupon prosecute such candidate or the officer of the committee required by law to file such statement.

Sec. 598. Presentation to grand jury—Refusal of county attorney to act a misdemeanor—Attorney may be employed to assist county attorney—If the county attorney of the county shall be notified by any officer or other person of any violation of any of the provisions of this act, it shall be his duty forthwith to diligently inquire into the facts of such violation, and if there is reasonable ground for instituting a prosecution, it shall be the duty of such county attorney to present the said charge, with all the evidence which he can procure, to the grand jury of such county. If any county attorney shall fail or refuse to faithfully perform any duty imposed upon him by this act, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall forfeit his office. It shall be the duty of the county attorney, under the penalty of forfeiture of his office, to prosecute any and all persons guilty of any violation of the provisions of this act, the penalty of which is fine or imprisonment, or both, or removal from office. Any citizen may employ an attorney to assist the county attorney to perform his

duties under this act, and such attorney shall be recognized by the county attorney and the court as associate counsel in the proceeding; and no prosecution, action or proceeding shall be dismissed without notice to, or against the objection of, such associate counsel until the reasons of the county attorney for such dismissal, together with the objections thereto of said associate counsel, shall have been filed in writing, argued by counsel, and fully considered by the court, with such limitation as to the time of filing such reasons and objections as the court may impose.

Sec. 599. Twenty-five voters may contest right of nomination on ground of violation of this act—Any twenty-five voters of the state, or of any political division thereof, may contest the right of any person to nomination, position, or office for which said voters had the right to vote, on the ground of deliberate, serious and material violation of the provisions of this act or of any other provisions of law relating to nominations and elections. Any defeated candidate for said nomination, position or office may make said contest. Said procedure shall be commenced by petition filed in the district court of the county in which the candidate whose election is contested resides, and the contest shall be carried on according to law.

In case of contests over nominations, the court shall pronounce whether the incumbent or contestant was duly nominated, and the person so declared nominated shall have his name printed on the official ballots.

Sec. 600. District court to determine merits of case—When upon the trial of any action or proceedings under this act it shall appear from the evidence that the offense complained of was not committed by the candidate, or with his knowledge or consent, or was committed without his sanction or connivance, and that all reasonable means were taken by such candidate at such election, or were taken by or on behalf of the candidate, or that the offenses complained of were trivial, unimportant or limited in character, and that in all respects his candidacy and election were free from all offensive or illegal acts, or that any act or omission of any candidate complained of arose from accidental miscalculation or from some other reasonable cause of like nature, and in any case did not arise from any want of good faith, and under the circumstances it seems to the court to be unjust that the candidate shall forfeit his nomination, position or office, then the nomination or election of such candidate shall not by reason of such offense complained of be void, nor shall the candidate be removed from nor deprived of his nomination, position or office.

Sec. 601. Contest to commence within ten days after primary or thirty days after a general election—Any proceeding under this act contesting any nomination or election must be commenced within ten days after the day of the primary or thirty days after a general election, unless the ground of action is discovered from the statements filed under this act, in which event the action must be commenced within ten and thirty days after such discovery, respectively. Any proceeding to annul any nomination or election of any person for office mentioned in this act, must be filed in the district court of the county in which the person resides whose right to the nomination, position or office is contested.

Sec. 602. Disqualification of candidate—A candidate elected to an office, and whose election thereto has been annulled and set aside for any offense mentioned in this act, shall not, during the period fixed by law as the term of such office, be appointed to fill any vacancy which may occur in such office. A candidate or other person who is removed from or deprived of his office for any offense mentioned in this act, shall not, during the period remaining as the unexpired term of such office, or during the period fixed by law as the next ensuing term of such office, be appointed to fill any vacancy which may occur in such office. Any appointment to an office made in violation of or contrary to the provisions of this section shall be void.

Sec. 603. One provision of act not to invalidate remainder—In event that any provision or paragraph or part of this act shall be questioned in any court and shall be held to be invalid, the remainder of the act shall not be invalidated, but shall remain in full force and effect.

Sec. 604. Criminal procedure—(1) If any person shall in a criminal action be judged to have been guilty of any violation of this act while a candidate for any office under the constitution or laws of the state, or under any ordinance of any town or municipality therein, other than the office of state senator or member of the house of representatives, the court shall, after entering the adjudication of guilty, enter a supplemental judgment, declaring such person to have forfeited the office in the conduct of the campaign for the nomination or election to which he was guilty of such violation, and shall transmit to the filing officer of such candidate a transcript of such supplemental judgment, and thereupon such office shall be deemed vacant and shall be filled as provided by law.

(2) If any person shall, in a criminal action, be adjudicated guilty of any violation of this act, committed while he was a candi-

date for the office of state senator, member of the house of representatives, United States senator, or representative in congress, or while he was a member of the personal campaign committee of any such candidate, the court, after entering such adjudication, shall forthwith transmit to the presiding officer of the legislative body as a member of which such officer was a candidate when such violation occurred, a certificate setting forth such adjudication of guilty.

Sec. 605. Employment of counsel—Nothing contained in this act shall prevent any candidate from employing counsel to represent him in any action or proceeding, affecting his rights as a candidate, nor from paying all costs and disbursements necessary incidental thereto. No sum so paid or incurred shall be deemed a part of the campaign expenses of any such candidate.

Sec. 606. Construction of terms—The following words and phrases as used in this act shall be construed as follows:

(1) Any act shall be deemed to have been for "political purposes" when the act is of a nature, is done with the intent, or is done in such a way, as to influence or tend to influence, directly or indirectly, voting at any primary or election or on account of any person having voted, or refrained from voting, or being about to vote or refrain from voting at any election or primary.

(2) The term "candidate" shall mean and include every person for whom it is contemplated or desired that votes may be cast at any election or primary, and who either tacitly or expressly consents to be so considered, except candidates for president and vice-president of the United States.

(3) The term "disbursement" shall mean and include every act by or through which any money, property, office or position or other thing of value passes or is directly or indirectly conveyed, given, promised, paid, expended, pledged, contributed or lent, and also any money, property, office or position or other thing of value so given, provided, paid, expended, promised, pledged, contributed or lent.

(4) The term "filing office," when used with reference to any candidate, shall be construed to mean the officer who is authorized by law to issue a certificate of nomination or election to such candidate if he be successful. If there be no officer authorized to issue such certificate of nomination or election, then such term shall be construed to mean the clerk of the town, city or village in which such candidate resides.

(5) The term "primary" shall mean and include any primary election law held under the general election laws of the state.

(6) The term "election" shall mean and include all general, special or other elections, provided for under the general election laws of the state, or under the election laws governing any election in any district, county, town, city, village or other municipality therein.

(7) The term "personal campaign committee" shall mean any committee appointed by a candidate at any primary election.

(8) The term "party committee" shall mean any committee appointed or elected to represent any political party with a party organization in this state.

(9) Every two or more persons elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting, or disbursing money, or directing the raising, collecting or disbursing thereof, for nomination or election purposes, and every two or more persons who shall co-operate in the raising, collecting, or disbursing of money used, or to be used for or against the election to public office of any person or any class or number of persons, or for or against the adoption of any law, ordinance, or constitutional amendment, shall be deemed a "political committee" within the meaning of this chapter.

(10) The term "committee" shall mean any personal campaign committee, party committee, or political committee unless the intent is clearly shown to be otherwise.

Sec. 607. Penalty for violation—Any person violating any provisions of this act except as otherwise provided herein, shall upon conviction thereof be punished by imprisonment in the county jail for a period of not less than one month nor more than one year, or by imprisonment in the state prison for a period of not less than one year nor more than three years, or by a fine of not less than twenty-five dollars nor more than one thousand dollars, or by both such fine and imprisonment; and no person so convicted shall be permitted to take or hold office to which he was elected, if any, or receive the emoluments thereof.

Sec. 608. Ten thousand dollars appropriated for use of Attorney General in enforcement of act—That the sum of $10,000.00 or as much of the same as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the fiscal year ending July 31, 1913, and biennially thereafter, the same to be placed at the disposal of the Attorney General for the purpose of enforcing the provisions of this act.

Sec. 609. Sections repealed—Sections 348 to 358, Revised Laws of Minnesota for 1905, and all other acts and parts of acts inconsistent

with the provisions of this act, except as herein provided, are hereby repealed.

PENAL PROVISIONS

Sec. 610. False registration—Personation—Every person who causes or attempts to cause his name to be registered in more than one district, or in any district, knowing that he is not a qualified voter thereof, or who falsely represents himself to be a person other than he is, when attempting to register for the purposes of voting at any primary, or when applying for a ballot or offering his ballot to be deposited in a ballot box, or when offering to vote by means of a voting machine or otherwise, whether the person he represents himself to be is living or dead, or a fictitious person, and every person who aids, abets, counsels, or procures any other person to do any of the acts herein mentioned, shall be guilty of a felony.

Sec. 611. Offering duplicate ballots, unlawful voting, etc.—Every person who wrongfully delivers to a judge, to be placed in a box, more than one ballot of the same kind and color, or who fraudulently puts a ballot into any box, or who, not being a qualified voter, votes at any election with unlawful intent, or who votes more than once at the same election, or who procures, aids, assists, or advises another to go into any county, town, or district for the purpose of voting, knowing that such person is not qualified to vote therein, shall be guilty of a felony.

Sec. 612. Bribery before or at elections—Every person who wilfully, directly or indirectly, pays, gives, or lends any money or other thing of value, or who offers, promises, or endeavors to procure any money, place, employment, or other valuable consideration, to or for any voter, or to or for any other person, in order to induce any voter to refrain from voting, or to vote in any particular way, at any election or primary, shall be guilty of a felony.

Sec. 613. Advancing money, etc., unlawfully—Every person who directly or indirectly advances, pays, contributes, furnishes, or pledges any valuable thing or consideration, or causes the same to be done, to or for the use of any other person, with the intent that such advancement, payment, contribution, pledge, or any part thereof, shall be expended or used in bribery at any primary or election, or in fulfillment of any promised bribe, shall be guilty of a felony.

Sec. 614. Corruptly demanding or receiving payment, etc.—Every person who after any election, directly or indirectly demands or receives any money or valuable consideration because of any person's having voted or refrained from voting, or because of having induced any other person to vote or refrain from voting, at any election or primary, shall be guilty of a felony.

Sec. 615. Coercing, threatening, or improperly influencing voters—Every judge, clerk, officer, or other person, who, within or without any polling place, directly or indirectly uses or threatens to use any force, violence, or restraint, or causes or threatens to cause any damage, harm, or loss to any person, with intent to induce, or in any other way attempts to induce or compel, such person, or any other person, to vote or refrain from voting at any election, or to vote in any particular way, or who, within any polling room, or in any booth or room connected therewith, or within twenty-five feet from the entrance to any such polling place, asks, persuades, or endeavors to persuade any person to vote for or against any particular candidate, party, or proposition, or who, by abduction, duress, or any fraudulent device or contrivance, impedes or prevents the free exercise of the franchise at any election, or who by any such means, compels, induces, or prevails upon any voter either to give or refrain from giving his vote at any election, or who aids, assists, counsels, or advises another to vote in any district, knowing that he is not then and there a qualified voter, shall be guilty of a gross misdemeanor.

Sec. 616. Defacing posted lists, or removing ballots from polling room—Every person who tears down, mutilates, defaces, or otherwise injures any list of names or card of instruction to voters posted or otherwise placed outside or inside of any polling place or booth by any board of registration or other official, or who, before the closing of the polls, removes from the polling place any ballots printed for use at such election, or any supplies or conveniences placed in or about any booth for the use of voters in preparing their ballots, shall be guilty of a gross misdemeanor.

Sec. 617. Wilful removal of or damage to poll books, etc.—Every person who shall wilfully take or carry away from any polling place, or deface, mutilate, damage, or add to, any poll book, ballot, list, or register or any name or figure therein, shall be guilty of a felony.

Sec. 618. Wilful injury to voting machines—Every person who wilfully injures or renders ineffectual any voting machine, or attempts so to do, shall be guilty of a felony.

Sec. 619. Failure to deliver certificate of nomination—Every secretary of a delegate convention who fails or neglects to immediately deliver, to the officer charged with the printing of the ballots upon which the name of a candidate of such convention is to be placed, the certificate of nomination of such candidate, shall be guilty of a misdemeanor.

Sec. 620. Negligence in printing and care of ballots—Every person authorized to print, or employed in printing, official ballots, who knowingly gives or delivers any of such ballots to, or knowingly permits any of the same to be taken by, any person other than the official under whose direction they are being printed, or knowingly prints or causes or permits to be printed any ballot in a form other than that prescribed by law, or with any other names thereon, or with the names spelled or the names of offices arranged thereon in any way other than that authorized and directed by said official, shall be guilty of a felony.

Sec. 621. Defamatory circulars, etc.—Every person who writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed, any circular, poster, or other written or printed matter, which is designed or tends to injure or defeat any candidate for nomination or election to a public office by reflecting on his personal or political character or acts, unless by publishing such matter in a newspaper in such manner that the publisher becomes responsible therefor, or unless there appear upon such written or printed matter, in a conspicuous place, the names of at least two officers or members of a committee of the political or other organization purporting to issue the same, or the name of some registered voter as responsible therefor, with his postoffice address, shall be guilty of a gross misdemeanor.

Sec. 622. Refusing employee election privilege—Every person who as principal or as an official or agent of any other person, shall directly or indirectly refuse, abridge, or in any manner interfere with any of the privileges or immunities of any employee of himself or his principal granted by this chapter, shall be guilty of a misdemeanor.

Sec. 623. No person except judges to handle ballots—Every person, except a judge, who during any canvass of votes shall handle, touch, or interfere with any of the ballots being canvassed, and every judge permitting the same to be done shall be guilty of a misdemeanor.

Sec. 624. Mismarking ballots—Disclosing how marked—Every election official or other person who marks the ballot of any voter, except in the case and in the manner provided by law, or who informs any person other than such voter how any such ballot was marked, shall be guilty of a gross misdemeanor.

Sec. 625. Wilful neglect, failure, or fraud of election officers—Every election officer or other person required by law to safely keep and produce on election day the ballots intrusted to him, or to perform any other act, who wilfully fails or refuses to do the thing so

required, or who is required by law to abstain from any act, and wilfully does such act, or who in either of such cases is guilty of any fraud, corruption, partiality or misbehavior in conducting or aiding in the conduct of any election, or in canvassing or making returns of votes, or who wrongfully refuses to make or deliver any certificate of election, or who falsely or corruptly performs any required act, the punishment whereof has not been otherwise expressly provided for by law, shall be guilty of a felony.

Sec. 626. Destruction or delay of election returns—Every messenger appointed by authority of law to receive and carry a report, certificate, or certified copy of any statement relating to the result of any election, who shall wilfully mutilate, tear, deface, obliterate, or destroy the same, or do any other act which shall prevent the delivery of it as required by law, and every person who shall take away from such messenger any such report, certificate, or copy, with intent to prevent its delivery or who shall wilfully do any injury or act herein specified, shall be guilty of a felony.

Sec. 627. Unlawful expenditures before nomination or election—Every candidate for nomination or election to a public office, who within ten days before any primary held to nominate, or to elect delegates to a convention called to nominate, a candidate for such office, or who within sixty days before the election at which an incumbent is to be chosen for such office, directly or indirectly, gives or provides, or pays, wholly or partly, or promises to pay, wholly or partly, the expense of giving or providing any food, drink, or entertainment to or for any person with intent to corruptly influence such person, or any other person, to give or refrain from giving his vote at such election, or to vote or refrain from voting in a particular way, shall be guilty of a misdemeanor.

Sec. 628. Failure to file statement—Every treasurer or other person who receives any money to be applied to any of the election purposes for which expenditures are permitted by law, who fails to file the statement and account respecting the same required by this chapter within the time prescribed, shall be guilty of a misdemeanor.

Sec. 629. Failure of treasurer to keep correct accounts—Every such treasurer or other person who receives any money to be applied to the purposes aforesaid, who fails to keep a correct book of account containing all the statements and details required by law, with intent to conceal the receipt or disbursement of any sum of money received or disbursed by him or by any other person, or the purpose for which the same was received or disbursed, or to conceal the existence of any unpaid debt or obligation, or the amount there-

of, or to whom the same is due, in detail, or who shall mutilate, deface, or destroy such book with like intent, shall be guilty of a misdemeanor.

Sec. 630. Failure of candidate to file—No commission, etc., to issue—Every candidate for nomination or election to any elective office, or to the office of United States senator, who fails to make and file the verified statement of moneys contributed, disbursed, expended, or promised by him, or any other person, committee, or organization for him, so far as he can learn, in the manner, within the time, and with the details required by law, or who enters upon the duties of any such office, or receives any salary or emolument therefrom, before he has so filed such statement, and every officer who issues a commission or certificate of election to any person before such statement shall have been so filed, shall be guilty of a gross misdemeanor.

Sec. 631. Certain corporations not to contribute—Penalty—That it shall be unlawful for any corporation organized for pecuniary profit and are the subjects of public supervision to make a contribution of moneys from its corporation funds to any political committee or to any person for the purpose of aiding in carrying on any political canvass for the nomination or election of any person or persons to any office whatever. Any officer, stockholder, agent or employee of any such corporation who shall take part in or consent to the making of a contribution of moneys or of any other thing of value contrary to the provisions of this act, shall be deemed guilty of a felony and shall be fined not exceeding one thousand dollars or be imprisoned in the state prison not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

CONGRESSIONAL DISTRICTS

Chap. 513, Laws 1913.

Section 1. Reapportionment of state into congressional districts—The state of Minnesota is hereby divided into ten (10) congressional districts each of which is entitled to elect one representative to the congress of the United States.

Sec. 2. First district—The counties of Houston, Fillmore, Winona, Wabasha, Olmsted, Mower, Dodge, Freeborn, Waseca and Steele shall constitute the first congressional district.

Sec. 3. Second district—The counties of Blue Earth, Faribault, Martin, Watonwan, Brown, Cottonwood, Jackson, Nobles, Rock, Pipestone, Murray, Redwood and Lincoln shall constitute the second congressional district.

Sec. 4. Third district—The counties of Washington, McLeod, Sibley, Nicollet, LeSueur, Carver, Scott, Rice, Dakota and Goodhue shall constitute the third congressional district.

Sec. 5. Fourth district—The county of Ramsey shall constitute the fourth congressional district.

Sec. 6. Fifth district—The first, second, fifth, sixth, seventh, eighth, ninth, eleventh, twelfth and thirteenth wards of the city of Minneapolis and the town of St. Anthony, shall constitute the fifth congressional district.

Sec. 7. Sixth district—The counties of Benson, Sherburne, Stearns, Morrison, Aitkin, Todd, Crow Wing, Wadena, Hubbard, Cass and Beltrami shall constitute the sixth congressional district.

Sec. 8. Seventh district—The counties of Grant, Douglass, Traverse, Stevens, Pope, Big Stone, Swift, Lac qui Parle, Chippewa, Yellow Medicine, Renville, Kandiyohi, Meeker and Lyon shall constitute the seventh congressional district.

Sec. 9. Eighth district—The counties of Koochiching, Itasca, Carlton, St. Louis, Lake and Cook shall constitute the eighth congressional district.

Sec. 10. Ninth district—The counties of Otter Tail, Wilkin, Clay, Becker, Mahnomen, Norman, Polk, Marshall, Red Lake, Pennington, Kittson, Roseau and Clearwater shall constitute the ninth congressional district.

Sec. 11. Tenth district—The counties of Pine, Chisago, Kanabec, Mille Lacs, Isanti, Anoka, Wright, and all of the county of Hennepin, except the town of St. Anthony outside of the city of Minneapolis, and the third, fourth and tenth wards of the city of Minneapolis shall constitute the tenth congressional district.

LEGISLATIVE DISTRICTS

Chap. 91, Laws 1913.

Section 1. Senate to be composed of 67 and House of 130 members—That (for the next legislature and thereafter, until a new apportionment shall have been made), the senate of this state shall be composed of sixty-seven members and the house of representatives shall be composed of one hundred and thirty members.

Sec. 2. Composition of various legislative districts, and the representation allotted to each—That the representatives in the senate and house of representatives be apportioned throughout the state in sixty-seven senatorial and representative districts, to-wit:

First District—The first district shall be composed of the counties

of Houston and Fillmore, and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Houston shall constitute one district and shall be entitled to elect one representative.

The county of Fillmore shall constitute one district and shall be entitled to elect one representative. .

The counties of Houston and Fillmore shall constitute one district and shall be entitled to elect one representative.

Second district—The second district shall be composed of the county of Winona and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The city of Winona shall constitute one district and shall be entitled to elect one representative.

The county of Winona (except the city of Winona), shall constitute one district and shall be entitled to elect one representative.

Third district—The third district shall be composed of the county of Wabasha and shall be entitled to elect one senator and one representative.

Fourth district—The fourth district shall be composed of the county of Olmsted and shall be entitled to elect one senator and one representative.

Fifth district—The fifth district shall be composed of the counties of Dodge and Mower and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Dodge shall constitute one district and shall be entitled to elect one representative.

The county of Mower shall constitute one district and shall be entitled to elect one representative.

Sixth district—The sixth district shall be composed of the county of Freeborn and shall be entitled to elect one senator and one representative.

Seventh district—The seventh district shall be composed of the county of Faribault and shall be entitled to elect one senator and one representative.

Eighth district—The eighth district shall be composed of the county of Blue Earth and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The first district shall be composed of the townships of Sterling,

Shelby, Pleasant Mound, Ceresco, Vernon, Lincoln, Garden City, Butternut Valley, Judson, Cambria, South Bend, and the fourth, fifth and sixth wards of the city of Mankato and the villages of Amboy, Vernon Center, and Lake Crystal shall constitute one district and shall be entitled to elect one representative.

The second district shall be composed of the townships of Mapleton, Danville, Medo, Beauford, Lyra, Rapidan, Decoria, McPherson, Mankato, Le Ray, Lime and Jamestown and the first, second and third wards of the city of Mankato together with the villages of Mapleton, Good Thunder, St. Clair, Eagle Lake and Madison Lake shall constitute one district and shall be entitled to elect one representative.

Ninth district—The ninth district shall be composed of the counties of Watonwan and Martin and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Watonwan shall constitute one district and shall be entitled to elect one representative.

The county of Martin shall constitute one district and shall be entitled to elect one representative.

Tenth district—The tenth district shall be composed of the counties of Cottonwood and Jackson and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Cottonwood shall constitute one district and shall be entitled to elect one representative.

The county of Jackson shall constitute one district and shall be entitled to elect one representative.

Eleventh district—The eleventh district shall be composed of the counties of Nobles and Rock and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Nobles shall constitute one district and shall be entitled to elect one representative.

The county of Rock shall constitute one district and shall be entitled to elect one representative.

Twelfth district—The twelfth district shall be composed of the counties of Lincoln, Pipestone and Murray and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Lincoln shall constitute one district and shall be entitled to elect one representative.

The county of Pipestone shall constitute one district and shall be entitled to elect one representative.

The county of Murray shall constitute one district and shall be entitled to elect one representative.

Thirteenth district—The thirteenth district shall be composed of the counties of Lyon and Yellow Medicine and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Lyon shall constitute one district and shall be entitled to elect one representative.

The county of Yellow Medicine shall constitute one district and shall be entitled to elect one representative.

Fourteenth district—The fourteenth district shall be composed of the counties of Redwood and Brown and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Redwood shall constitute one district and shall be entitled to elect one representative.

The county of Brown shall constitute one district and shall be entitled to elect one representative.

The counties of Redwood and Brown shall constitute one district and shall be entitled to elect one representative.

Fifteenth district—The fifteenth district shall be composed of the counties of Nicollet and Sibley and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Nicollet shall constitute one district and be entitled to elect one representative.

The county of Sibley shall constitute one district and shall be entitled to elect one representative.

Sixteenth district—The sixteenth district shall be composed of the counties of Waseca and Steele and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Waseca shall constitute one district and shall be entitled to elect one representative.

The county of Steele shall constitute one district and shall be entitled to elect one representative.

Seventeenth District—The seventeenth district shall be composed of the county of LeSueur and shall be entitled to elect one senator and one representative.

Eighteenth district—The eighteenth district shall be composed of

the county of Rice and shall be entitled to elect one senator and one representative.

Nineteenth district—The nineteenth district shall be composed of the county of Goodhue and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The first district shall be composed of the townships and villages lying south of township line No. 112, shall constitute one district and shall be entitled to elect one representative.

The second district shall be composed of the townships, cities and villages in said Goodhue county, lying north of south line of township line No. 112, shall constitute one district and shall be entitled to elect one representative.

Twentieth district—The twentieth district shall be composed of the county of Dakota and shall be entitled to elect one senator and one representative.

Twenty-first district.—The twenty-first district shall be composed of the counties of Carver and Scott and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Carver shall constitute one district and shall be entitled to elect one representative.

The county of Scott shall constitute one district and shall be entitled to elect one representative.

Twenty-second district—The twenty-second district shall be composed of the county of McLeod and shall be entitled to elect one senator and one representative.

Twenty-third district—The twenty-third district shall be composed of the county of Renville and shall be entitled to elect one senator and one representative.

Twenty-fourth district—The twenty-fourth district shall be composed of the counties of Lac qui Parle and Chippewa and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Lac qui Parle shall constitute one district and shall be entitled to elect one representative.

The county of Chippewa shall constitute one district and shall be entitled to elect one representative.

Twenty-fifth district—The twenty-fifth district shall be composed of the counties of Swift and Kandiyohi and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Swift shall constitute one district and shall be entitled to elect one representative.

The county of Kandiyohi shall constitute one district and shall be entitled to elect one representative.

Twenty-sixth district—The twenty-sixth district shall be composed of the county of Meeker and shall be entitled to elect one senator and one representative.

Twenty-seventh district—The twenty-seventh district shall be composed of the county of Wright and shall be entitled to elect one senator and two representatives.

Twenty-eighth district—The twenty-eighth district shall be composed of the first ward, and the first precinct of the tenth ward and the first, second, third, and fourth precincts of the third ward, and the fourth and fifth precincts of the ninth ward of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Twenty-ninth district—The twenty-ninth district shall be composed of the second ward and the first, second, third, sixth, seventh, eighth and ninth precincts of the ninth ward of the city of Minneapolis and the town of St. Anthony in the county of Hennepin and shall be entitled to elect one senator and two representatives.

Thirtieth district—The thirtieth district shall be composed of the fourth ward of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Thirty-first district—The thirty-first district shall be composed of the fifth and sixth wards of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Thirty-second district—The thirty-second district shall be composed of the eleventh and twelfth wards of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Thirty-third district—The thirty-third district shall be composed of the seventh and thirteenth wards of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Thirty-fourth district—The thirty-fourth district shall be composed of the eighth ward of the city of Minneapolis and shall be entitled to elect one senator and two representatives.

Thirty-fifth district—The thirty-fifth district shall be composed of the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth precincts of the third ward and the second, third, fourth, fifth, sixth and seventh precincts of the tenth ward, of the city of Minneapolis, and shall be entitled to one senator and two representatives.

Thirty-sixth district—The thirty-sixth district shall be composed of the county of Hennepin, outside of the city of Minneapolis, except the town of St. Anthony, and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The villages of Dayton, Golden Valley, Hanover, Osseo and Robbinsdale, and the towns of Brooklyn, Champlin, Corcoran, Crystal Lake, Dayton, Greenwood, Hassan, Maple Grove, Medina and Plymouth shall constitute one district and shall be entitled to elect one representative.

The villages of Deephaven, Edina, Excelsior, Long Lake, Minnetonka Beach, St. Bonifacius, Richfield, St. Louis Park, Tonka Bay, Wayzata and West Minneapolis, and the towns of Bloomington, Eden Prairie, Excelsior, Independence, Minnetonka, Minnetrista and Orono shall constitute one district and shall be entitled to elect one representative.

Thirty-seventh district—The thirty-seventh district shall be composed of the first ward and the first, second, third, fourth, fifth, sixth, seventh, twelfth and thirteenth precincts of the ninth ward of the city of St. Paul and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The first, second, third and fourth precincts of the first ward and the first, second, third, fourth, fifth, sixth, seventh, twelfth and thirteenth precincts of the ninth ward shall constitute one district and shall be entitled to elect one representative.

The fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelfth precincts of the first ward shall constitute one district and shall be entitled to elect one representative.

Thirty-eighth district—The thirty-eighth district shall be composed of the eighth ward and the tenth and eleventh precincts of the ninth ward and the third, fourth, and fifth precincts of the twelfth ward in the city of St. Paul and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The sixth, seventh, ninth, tenth, eleventh, twelfth and thirteenth precincts of the eighth ward and the eighth, ninth, tenth and eleventh precincts of the ninth ward shall constitute one district and shall be entitled to elect one representative.

The first, second, third, fourth, fifth, eighth and fourteenth precincts of the eighth ward and the third, fourth and fifth precincts of the twelfth ward shall constitute one district and shall be entitled to elect one representative.

Thirty-ninth district—The thirty-ninth district shall be composed of the fifth and sixth wards of the city of St. Paul and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The fifth ward of the city of St. Paul shall constitute one district and shall be entitled to elect one representative.

The sixth ward of the city of St Paul shall constitute one district and shall be entitled to elect one representative.

Fortieth district—The fortieth district shall be composed of the fourth and seventh wards of the city of St. Paul and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The fourth ward shall constitute one district and shall be entitled to elect one representative.

The seventh ward shall constitute one district and shall be entitled to elect one representative.

Forty-first district—The forty-first district shall be composed of the second and third wards of the city of St. Paul and all of Ramsey county outside of the city of St. Paul lying east of Rice street, produced north to the north county line of Ramsey county and shall be entitled to elect one senator and two representatives.

Forty-second district—The forty-second district shall be composed of the tenth and eleventh wards, and the first, second and sixth precincts of the twelfth ward of the city of St. Paul and all of Ramsey county outside of the city of St. Paul lying west of Rice street, produced north to the north county line of Ramsey county and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The eleventh ward and the first and second precincts of the twelfth ward shall constitute one district and shall be entitled to elect one representative.

The tenth ward and the sixth precinct of the twelfth ward and all of Ramsey county outside of the city of St. Paul lying west of Rice street, produced north to the north county line of Ramsey county shall constitute one district and shall be entitled to elect one representative.

Forty-third district—The forty-third district shall be composed of the county of Washington and shall be entitled to elect one senator and two representatives.

Forty-fourth district—The forty-fourth district shall be composed of the counties of Anoka and Isanti and shall be entitled to elect one senator and one representative.

Forty-fifth district—The forty-fifth district shall be composed of the county of Benton, the seventh ward of the city of St. Cloud situated in the county of Sherburne, and the city of St. Cloud and the villages of St. Joseph, Rockville, Sartell and Waite Park, and the towns of St. Joseph, Brockway, St. Wendel, Le Sauk, Rockville, St. Cloud, St. Augusta and Lynden situated in the county of Stearns, and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Benton and the seventh ward of the city of St. Cloud in Sherburne county shall constitute one district and shall be entitled to elect one representative.

The first, second, third, and fourth wards of the city of St. Cloud and the villages of St. Joseph, Sartell, Rockville and Waite Park, and the towns of Brockway, St. Wendel, Le Sauk, St. Joseph, St. Cloud, St. Augusta, Rockville and Lynden situated in the county of Stearns shall constitute one district and shall be entitled to elect one representative.

Forty-sixth district—The forty-sixth district shall be composed of the villages of Holding, Freeport, Albany, Eden Valley, St. Martin, Cold Spring, Richmond, Kimball Prairie, Avon, New Munich, Meire Grove, Brooten, Belgrade, Paynesville and Spring Hill, and the towns of Holding, Millwood, Oak, St. Martin, Krain, Albany, Farming, Munson, Eden Lake, Avon, Collegeville, Wakefield, Luxemburg, Maine Prairie, Fair Haven, Ashley, Sauk Center, Melrose, Raymond, Getty, Grove, North Fork, Lake George, Spring Hill, Crow Lake, Crow River, Lake Henry, Zion and Paynesville, and the cities of Sauk Center and Melrose situated in the county of Stearns and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The villages of Meire Grove, Brooten, Belgrade, Paynesville and Spring Hill, the towns of Ashley, Sauk Center, Melrose, Raymond, Getty, Grove, North Fork, Lake George, Spring Hill, Crow Lake, Crow River, Lake Henry, Zion and Paynesville, and the cities of Sauk Center and Melrose shall constitute one district and shall be entitled to elect one representative.

The villages of Holding, Freeport, Albany, Eden Valley, St. Martin, Cold Spring, Richmond, Kimball Prairie, Avon, New Munich and the towns of Holding, Millwood, Oak, St. Martin, Krain, Albany, Farming, Munson, Eden Lake, Avon, Collegeville, Wakefield, Luxemburg, Maine Prairie and Fair Haven shall constitute one district and shall be entitled to elect one representative.

Forty-seventh district—The forty-seventhtdistrict shall be composed of the counties of Douglas and Pope and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Douglas shall constitute one district and shall be entitled to elect one representative.

The county of Pope shall constitute one district and shall be entitled to elect one representative.

Forty-eighth district—The forty-eighth district shall be composed of the counties of Grant, Stevens, Traverse and Big Stone and shall be entitled to elect one senator and four representatives.

The representative districts shall be divided as follows:

The county of Grant shall constitute one district and shall be entitled to elect one representative.

The county of Stevens shall constitute one district and shall be entitled to elect one representative.

The county of Traverse shall constitute one district and shall be entitled to elect one representative.

The county of Big Stone shall constitute one district and shall be entitled to elect one representative.

Forty-ninth district—The forty-ninth district shall be composed of the counties of Clay and Wilkin and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Clay shall constitute one district and shall be entitled to elect one representative.

The county of Wilkin shall constitute one district and shall be entitled to elect one representative.

Fiftieth district—The fiftieth district shall be composed of the county of Otter Tail and shall be entitled to elect one senator and four representatives.

Fifty-first district—The fifty-first district shall be composed of the counties of Wadena and Todd and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Wadena shall constitute one district and shall be entitled to elect one representative.

The county of Todd shall constitute one district and shall be entitled to elect one representative.

Fifty-second district—The fifty-second district shall be composed of the counties of Itasca and Cass and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Itasca shall constitute one district and shall be entitled to elect one representative.

The county of Cass shall constitute one district and shall be entitled to elect one representative.

Fifty-third district—The fifty-third district shall be composed of the counties of Crow Wing and Morrison, and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Morrison shall constitute one district and shall be entitled to elect one representative.

The county of Crow Wing shall constitute one district and shall be entitled to elect one representative.

The counties of Crow Wing and Morrison shall constitute one district and shall be entitled to elect one representative.

Fifty-fourth district—The fifty-fourth district shall be composed of the counties of Aitkin and Carlton and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Aitkin shall constitute one district and shall be entitled to elect one representative.

The county of Carlton shall constitute one district and shall be entitled to elect one representative.

Fifty-fifth district—The fifty-fifth district shall be composed of the counties of Mille Lacs, Kanabec and Sherburne and shall be entitled to elect one senator and two representatives.

Fifty-sixth district—The fifty sixth district shall be composed of the counties of Pine and Chisago and shall be entitled to elect one senator and two representatives.

Fifty-seventh district—The fifty-seventh district shall be composed of the first and second wards of the city of Duluth and all the territory in St. Louis county east of the range line between ranges thirteen and fourteen west; and south of the township line between townships fifty-six and fifty-seven north, and the counties of Lake and Cook; and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The first and second wards of the city of Duluth and all of the territory in St. Louis county east of the range line between ranges thirteen and fourteen west; and north to the township line between townships fifty-six and fifty-seven north shall constitute one district and be entitled to elect one representative.

The counties of Lake and Cook shall constitute one district and shall be entitled to elect one representative.

Fifty-eighth district—The fifty-eighth district shall be composed of the third, fourth, fifth and sixth wards of the city of Duluth and all of the territory in St. Louis county located north of the township line between townships fifty and fifty-one; south of the township line between townships fifty-six and fifty-seven and between the range line between ranges thirteen and fourteen and the range line between ranges fifteen and sixteen and shall be entitled to elect one senator and two representatives.

Fifty-ninth district—The fifty-ninth district shall be composed of the seventh and eighth wards of the city of Duluth and all of that part of St. Louis county not heretofore described lying south of the township line between townships fifty-six and fifty-seven and shall be entitled to elect one senator and two representatives.

Sixtieth district—The sixtieth district shall be composed of all of that part of St. Louis county lying north of the township line between townships fifty-six and fifty-seven and west of the range line between ranges seventeen and eighteen and shall be entitled to elect one senator and two representatives.

Sixty-first district—The sixty-first district shall be composed of all of that part of St. Louis county lying north of the township line between townships fifty-six and fifty-seven and east of the range line between ranges seventeen and eighteen and shall be entitled to elect one senator and two representatives.

Sixty-second district—The sixty-second district shall be composed of the counties of Beltrami and Koochiching and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Beltrami shall constitute one district and shall be entitled to elect one representative.

The county of Koochiching shall constitute one district and shall be entitled to elect one representative.

Sixty-third district—The sixty-third district shall be composed of the counties of Becker and Hubbard and shall be entitled to elect one senator and two representatives.

The representative districts shall be divided as follows:

The county of Becker shall constitute one district and shall be entitled to elect one representative.

The county of Hubbard shall constitute one district and shall be entitled to elect one representative.

Sixty-fourth district—The sixty-fourth district shall be composed

of the counties of Norman and Mahnomen and shall be entitled to elect one senator and one representative.

Sixty-fifth district—The sixty-fifth district shall be composed of the counties of Pennington, Red Lake and Clearwater, and shall be entitled to elect one senator and one representative.

Sixty-sixth district—The sixty-sixth district shall be composed of the county of Polk and shall be entitled to elect one senator and two representatives.

Sixty-seventh district—The sixty-seventh district shall be composed of the counties of Kittson, Roseau and Marshall and shall be entitled to elect one senator and three representatives.

The representative districts shall be divided as follows:

The county of Kittson shall constitute one district and shall be entitled to elect one representative.

The county of Roseau shall constitute one district and shall be entitled to elect one representative.

The county of Marshall shall constitute one district and shall be entitled to elect one representative.

Sec. 3. County or township line changes not to affect above districts—That in the event of any change in the county or township lines affecting the districts provided in Section 2 of this act, the senatorial and representative districts shall not be affected thereby.

General Election Law Index

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